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**MICROFILMED .
BY
• WM. L. MCDOWELL**

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Whitchall 8th January 1730

At a Meeting of His Majesty's Commissioners for Trade and Plantations
Present

M ^r Doominique	M ^r Ashe
M ^r Nelham	S ^r O. Bridgeman
M ^r Bladen	M ^r Cary
S ^r Tho ^s Frankland	

Col Johnson Governor of South Carolina and Capt Burrington Governor of North Carolina attending with some other Gentlemen belonging to those provinces acquainted the Board that they had agreed upon a Division line between those provinces. And their Lordships desired they would mark the line upon a Map and lay the same before the Board which they promised accordingly

22 January 1730

Col Johnson of Governor of South Carolina and Capt Burrington Governor of North Carolina attending as they had been desired in relation to the Boundaries between those two provinces mentioned in the Minutes of the 8th inst. Their Lord^{ships} after some discourse with them thereupon agreed upon the following divisional line viz^t The Line to begin at 80 Miles South Westward of Cape Fear River and to be run at that parallel distance the whole course of the said River

28th January 1730

Two letters from Col^o Johnson appointed Governor of South Carolina with several observations in relation to that province were read with the copy of an act therein referred to passed there in March 1695, to ascertain the prices of Land the forms of conveyances and the manner of recovering of Rents for Lands and the prices of the several Commodities the same may be paid in And their Lordships agreed to consider further thereof tomorrow Morning

29th January 1730

Their Lordships took again into consideration the Letters from Col^o Johnson appointed Gov^r of South Carolina mentioned in yesterday's Minutes and made a progress therein Ordered that a Letter be prepared to the Duke of Newcastle upon that part of Col^o Johnsons Letter which relates to the Stoves of War

14 February 1730

Col^o Johnson of South Carolina attending with M^r Wragg, M^r Myett and some other Merchants trading to that province presented to the Board a Memorial desiring a paper Currency might be continued there under proper limitations which was read. And their Lord^{sh} after some discourse with them upon this subject gave directions that Col^o Johnson & Mess^{rs} Gentlemen should have the same Privileges as those sent to the Duke the 27th inst relating to paper Money

17th February 1730

Their Lordships then taking into consideration the Memorial of Coll^o Johnson Gov^r of South Carolina read the 18th of January last gave directions for preparing the draft of a Letter to His Grace the Duke of Newcastle to desire he will move the King in relation to the Stores of War desired by Coll^o Johnsons said Memorial

19th February 1730

A Letter from M^r Carkeose dated yesterday relating to the Establishment of Custom House Officers in South Carolina was read. Ordered that the Secr^y do acquaint M^r Carkeose with that part of Coll^o Johnsons Memorial read the 28th of the last Month in relation thereto

12 March 1730

Additional Instructions proposed for a Gov^r of South Carolina. The Merchants answer to Queries about a paper Currency. The Merchants proposal for creating a paper Currency in South Carolina. Coll^o Johnsons answer to Queries in relation to paper Currency were severally read. Ordered that M^r Horace Walpole be acquainted that the Board desires his assistance here tomorrow morning in relation to the paper Currency of this Province. Ordered that Col^o Johnson be desired to attend at the same time

13 March 1730

Coll^o Johnson attending as he had been desired Their Lordships took
again

again into consideration the Memorial from the Merchants trading to South Carolina read the 4th of last Month proposing a paper Currency the South Carolina papers read yesterday and those undermentioned which were this day read viz^t: A Letter from M^r Tho^s Lowndes dated the 8th of December 1729 proposing that Charts of the Sea Coasts and Harb^{rs} of His Majesty's American Dominions should be made and that North Carolina should be made a district of Virginia. A Letter from him to the Sec^y dated the 23rd of December 1729 signifying the Names of the Patent Officers in South Carolina. A Mem^o from him with Letters enclosed ab^t settling Plantations in South Carolina. A Letter from M^r Missouring about peopling South Carolina. A State of the paper Currency of South Carolina and a proposal in relation to the same. A proposal for better improving and settling South Carolina. And their Lordships agreed to consider further thereof on Tuesday next

18 March 1730

The Secretary then laid before the Board the copy of S^r Nath^l Johnsons patent for Six Baronys and the dignity of a Casorquo in South Carolina which he had received from Coll^o Johnson appointed Governor of that province And their Lordships taking the same into consideration gave directions that a copy thereof should be sent to M^r Attorney and Mr Solicitor General for their opinion in point of Law whether such old Grants of large Tracts of Land to be taken up in any part of the province and without Limitation of time were valid if not yet put in Execution.

Col.

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Col^d Johnsons proposals for better improving and settling South Carolina with reasons against reserving a Quit Rent of one penny per Acre was read as also The Repⁿ of Captain Dunnington with his Reasons against advancing the Quit Rents in North Carolina. Ordered that Copies of or much of the said papers as relate to Quit Rents be given to M^r Malpole Auditor of the plantations

24 March 1730

Sir William Chapman M^r Sodin and M^r Jefferis attending presented to the Board a petition in behalf of the Merchants of London and Bristol desiring the duties imposed on the Importation of Negroes in South Carolina may be taken off w^{ch} was read and these Gentlemen were desired to attend again to Morrow morning with Coll^d Johnson, M^r Wragg & M^r S^r Julian

25 March 1730

A Memorial from M^r Hurry concerning a Sordo Settlement proposed to be made by him in South Carolina was read and their Lordships resolved to consider further thereof at another opportunity.

Coll^d Johnson M^r Wragg and M^r Jefferis attending as they had been desired the Memorial from the Merchants read yesterday desiring to be eased from the duties imposed in South Carolina upon the importation of negroes was again considered And a Letter from S^r Will^m Chapman was read excusing his attendance this day and proposing that for the
future

future these duties may be paid by the Buyer Whereupon after some discourse with these Gentlemen their Lordships agreed to insert an Article in the Governors Instructions directing him to Endeavour to get an Act past for repealing so much of the former Acts as imposes these duties upon the Importer and for the future for obliging the Buyer to pay them but the Importer not to be absolutely discharged from these duties until he produces a Certificate that the duty is paid

1st April 1730

The Board took into consideration the Draft of Instructions for Colonel Johnson appointed Gov.^r of South Carolina ordered to be prepared the 2^d of December last and made a progress therein

9th April 1730

Their Lordships took again into consideration the draft of Instructions for Coll^o Johnson Gov.^r of South Carolina mentioned in the Minutes of the 1st Inst and made a progress therein

14th April 1730

Ordered that Coll^o Johnson do likewise attend the Board tomorrow morning and that he do bring with him some Account of the Annual Expenses of the Government of South Carolina as likewise of the Annual Revenue

15 April 1730

The Earl of Westmoreland then laid before the Board an Address to His Majesty from the President & Council of South Carolina upon His Majestys having purchased that Province from the Proprietors, and a letter for inclosing the same to the Duke of Newcastle to be presented to His Majesty was agreed and signed.

Coll^o Johnson of South Carolina attending as he had been desired he was asked what he computed the Annual Charges of that Province to amount to and what their Annual Revenue to which he said that the Annual Charge commonly amounted to about Twenty thousand pounds that Country Money per Annum and that they annually raised as much Money, as they judged might defray the expences of the Year.

21st April 1730

A Memorial from M^r Thomas Lowndes Provost Marshal of South Carolina desiring the Repeal of An Act passed in that Province in 1726 Entituled an Act for the better settling of the Courts of Justice was read and their Lord^{hs} resolved to take that Act into consideration to morrow morning

22 April 1730

The Board taking again into Consideration M^r Lowndes Mem^o read yesterday ordered that he should be directed to attend the Board on Friday next.

24 April 1730

Mr Lowndes attending as he had been desired Their Lordships took into consideration and read An Act passed in South Carolina in 1726 mention'd in the Minutes of the 22nd inst. Entituled an Act for the Better settling the Courts of Justice as likewise Mr Danc's report thereon And their Lordships after Mr Danc had stated to them the Difficulty which he apprehended there was in putting the said Act in Execution by reason of the Provost Marshals being obliged to serve all his writs personally agreed to consult Col^o Johnson personally upon this subject

25 April 1730

Col^o Johnson Sec^y of South Carolina attending their Lordships had some discourse with him in relation to the manner of granting of Land in that province And their Lordships agreed to consider further thereof on Tuesday morning next

30 April 1730

Col^o Johnson attending as he had been desired presented to the Board an explanation of his proposal for better improving and settling the provinces of South Carolina mention'd in the Minutes of the 13th of March last which was read and their Lordships resolved to consider further thereof tomorrow morning

1 May 1730

Col^o Johnson Gov^r of South Carolina attending with Capt^l Huntington Gov^r of North Carolina the Board took again into consideration Col^o Johnson's explanation of his Proposal ^{1st} read yesterday And after some discourse with him thereupon gave directions for preparing the Draft of an Article to be inserted in his Instructions directing the manner of settling Townships

5 May 1730

The Drafts of Instructions for Col^o Johnson Gov^r of South Carolina mentioned in the Minutes, were again read & considered, and a letter was ordered to be wrote to Col^o Johnson directing him to consult the Merchants trading to South Carolina and let the Board have an account of the Difference between Proclamation Money and the Currency of that Province.

6 May 1730

Col Johnson Gov^r of South Carolina attending their Lordships took again into consideration the Draft of his Instructions and made a progress therein

20 May 1730

An order of the Committee of Council dated the 11th Inst referring to the Board the petition of the Lord Carteret praying that his eighth part of the Province of South Carolina may be set out and allotted to him ^{1st} was read, and their Lordships gave directions for preparing the draft of a report thereon

21 May 1730

The draft of a Report directed yesterday to be prepared upon an order of the Committee of Council referring to the Board Lord Carterets petition about his Lordships Eighth part of the Province of Carolina was agreed and ordered to be transcribed.

22 May 1730

The Report to the Lords Committee upon the Lord Carterets petition agreed yesterday was signed

27 May 1730

Ther Lordships taking again into consideration the Drafts of Instructions for Col^o Johnson Gov^r of South Carolina the same were agreed and ordered to be transcribed

14 June

A Memorial from several Merchants trading to South Carolina desiring the Board to consider the several Laws of that Province relating to the distribution of Justice was read Whereupon ordered that a copy of the said Memorial be sent to M^r Dane together with the several Laws of this Province for his opinion in point of Law whether any of the said Laws are liable to the Merchants Objections. Ordered that a Letter be wrote to M^r Dane for his Opinion in point of Law whether according to the Charter of Carolina any Grants made by the Lords proprietors be valid unless signed by

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by them all and be under the Common Seal. Ordered that the Draft of Representations be prepared upon the Drafts of Instructions to Col^o Johnson Governor of South Carolina agreed the 27th of the last month and upon the Drafts of Instructions to Capt. Burington Governor of North Carolina agreed at the last meeting. Their Lordships taking again into Consideration the order of the Committee of Council dated the 14th of July 1727 referring to the Board a petition from South Carolina for permitting Old Bills of Credit to be continued read the 27th of September 1727. Ordered that the Draft of a Report be prepared thereupon.

9 June 1730

Mr. Danes report in relation to the validity of such Grants of offices from the late Lords Proprietors of Carolina as are not signed by them all was read and Ordered that Copies thereof be given to Col^o Johnson & Capt. Burington Governors of South and North Carolina. A Memorial from Col^o Johnson relating to the draft of his Instructions was read. The Drafts of Reports directed to be prepared the 14th inst with the drafts of Instructions for Col^o Johnson and Capt^m Burington were agreed and ordered to be transcribed

10 June 1730

The draft of a Representation with Col^o Johnsons Instructions for the Government of South Carolina agreed yesterday was signed as also a letter for inclosing the same to His Grace the Duke of Newcastle. Ordered that a letter be prepared to Col^o Johnson for inclosing to him Copies of our^e Complaints ag^t

ag^t the Assembly of South Carolina referred to the Board by an Order of the Committee of Council read the 28th July 1729

11 June 1730

A Letter from De la Fontaine dated the 29th of last month in relation to some Palatine who are desirous of settling in South Carolina was read and their Lordships gave directions for acquainting M^r De la Fontaine with the Encouragement the Board had proposed by Col Johnsons Instructions for this purpose. Ordered that M^r Mising whose Letter upon this subject was read the 13th of March last and M^r Purry whose Memorial was read the 26th of the same Month be likewise acquainted therewith as also all others who may at any time have made or make any proposals for settling the Province. A Letter from the Duke of Newcastle dated the 5th Inst was read and the papers therewith transmitted were laid before the Board. A Letter from M^r Tho^s Lowndes to the Duke of Newcastle in relation to the making of flat Ashes in South Carolina. Copy of M^r Lambtons Letter to M^r Lowndes. A Letter from M^r Tho^s Lowndes to the Secy dated 19th of May last was read and the papers therein referred to were laid before the Board. Copy of a Letter from M^r Lambton to M^r Lowndes in relation to the making of flat Ashes in South Carolina. Copy of a Paragraph of Coll^o Bulls Letter to M^r Lowndes about the Snows Marshalls place in So: Carolina. Whereupon Ordered that M^r Lowndes be desired to attend the Board upon this subject on Tuesday morning next

16 June 1730

M^r Lowndes attending as he had been desired their Lordships took again into consideration the Letter from the Duke of Newcastle referring to the Board a letter from M^r Lowndes in relation to the making of Pot ash in So. Carolina And their Lordships desiring he would inform the Board what encouragement he thought necessary for this purpose he said that a number of Pot ash makers would go to Carolina if their passage were to be paid for them and if their Negroes might be Tax free for Seven years Whereupon their Lord^{ships} resolved to recommend this matter to Col Johnson Gov^r of this province at their next meeting

18 June 1730

Col Johnson attending the Board informed him with what M^r Lowndes had proposed at the last meeting about making Pot ash in South Carolina and desired he would give all the Encouragement he could to that undertaking

24 June 1730

M^r Purry whose Memorial concerning a Survey Settlement proposed to be made in South Carolina was read the 25th of March last attending with M^r Datt desired their Lordships would please to let him know what Encouragements were proposed for such as were willing to go to that province And their Lordships Ordered that he should have an Extract of Col Johnson's Instructions for this purpose

9 July 1730

Mons^r Jarry of Neuchâtel in Switzerland who was formerly recommended for a grant of some lands in South Carolina attending presented to the Board a memorial proposing to conduct to and settle in that province six hundred Swiss protestants in six years under certain conditions. which memorial was read Whereupon their Lordships after some discourse with him on the subject of his said memorial agreed to consider further thereof at another opportunity

14 July 1730

A Letter from M^r Vernon one of the Clerks of the privy Council was read signifying that the Lords of the Committee having this day taken into consideration the Drafts of Instructions for Col^o Johnson Governor of South Carolina & some doubt arising upon the Articles about continuing the paper Currency the Board of Trade is desired to attend the Committee on this day tonight at Eleven of the Clock Whereupon ordered that M^r Desminique and M^r Brudenell who are at the least distance from Town have notice thereof

15 July 1730

Col Johnson Gov^r of South Carolina attending with Mons^r Jarry of Neuchâtel their Lordships took again into consideration the said Mons^r Jarry's memorial mentioned in the Minutes of the 9th Inst relating to a settlement which he proposes to make in South Carolina of six hundred protestants

protestant switzers Whereupon their Lordships after some conversation with
 the Gentlemen on the subject of M^{rs} p^{er}ury said Memorial gave directions
 for preparing the drafts of a Representation to His May^{ty} relating thereto.
 A letter from the Duke of Newcastle of the 11th inst referring to this Board the
 undermentioned papers from S^r Alex^r Cuming Bart^l relating to the province
 of South Carolina was read together with the said papers viz^t The humble
 Memorial of Sir Alex^r Cuming Bart^l with his observations relating to the
 present ill state of South Carolina and proposals for remedying the disor-
 ders there. Copy of a Letter from a Merchant in Carolina to S^r Alexander
 Cuming Bart^l relating to the Currency of paper Money there and some en-
 deavours for setting up a Bank

16 July 1730

The draft of a Representation upon a Memorial of M^{rs} p^{er}ury men-
 tioned in yesterday's Minutes relating to the Settlement of a Colony of 600
 Swiss Protestants in South Carolina was agreed and ordered to be transcribed
 as also a Letter for inclosing the same to His Grace the Duke of Newcastle

21 July 1730

Their Lordships then attended the Lords of the Committee of His May^{ty}
 Most Hon^{ble} privy Council as desired by M^r Vernon's Letter mentioned in the
 Minutes of the 14th instant who had under consideration the drafts of In-
 structions prepared for Col Johnson Gov^r of the province of South Carolina

22 July 1730

A letter from Mr. Belafaye dated the 16th inst. inclosing a Memorial from Sir Alex^r Cumming relating to the Cherokee Nation of Indians in So. Carolina was read together with the said Memorial and their Lordships agreed to reconsider the same together with the other papers from S^r Alexander relating to Carolina which are referred to this Board.

28 July 1730

An order of the Lords Committee of Council dated the 21st inst. upon a Represⁿ of the 23rd of May foregoing relating to the Lord Carteret's Eighth part of the province of Carolina and requiring this Board to send to his Lordship to know the value he sets upon the said Eighth part in order to treat for the surrender of it to the Crown was read And directions given for preparing a Letter to the Lord Carteret thereupon. Another order of the Lords of the Committee of Council of the same date requiring several alterations to be made in the draft of Gen^l Instructions prepared for Coll^o Johnson Gov^r of South Carolina was read And directions given for making the said alterations pursuant to the said order

6 August 1730

A letter from the Lord Carteret dated this day in answer to their Lord^{sh}s of the 11th inst. relating to his 8th part of the province of Carolina & the value his Lord^{sh} sets upon it was read Whereupon directions were given for preparing the draft of a Report to the Lords of the Committee of Council mentioned in the Minutes of the 28th of the last month upon that subject

13 August 1730

M^r Attorney Generals and M^r Solic^r Generals Report relating to the validity of certain Grants made by the Lords Proprietors of Carolina particularly one to S^r Nath^l Johnson in 1686 was read Whereupon ordered that Copies of the said Report be presented for Col^o Johnson and Capt. Burrington Governors of North and South Carolina

18 August 1730

Col^o Johnson of South Carolina attending their Lordships had some discourse with him relating to the Cherokee Indians a nation bordering upon the frontiers of that province, and concerning some of their Chiefs now in this Kingdom. Whereupon Ordered that S^r William Keith late deputy Gov^r of Pennsylvania who has formerly had conferences with the Indians be acquainted that the Board desire to speak with him at Eleven of the Clock tomorrow morning

19 August 1730

After which S^r William Keith attending as desired Their Lordships had some discourse with him concerning several Nations of Indians bordering upon His Majestys plantations on the Continent of America and the manner of conferring and treating with them. Whereupon S^r William was desired to let their Lordships have in writing agreeable to the Indian Title the form of a Declaration or Agreement proper to be mutually made by the Chiefs of the Cherokee Indians now here and by such as His Majesty shall appoint on his part for that purpose upon the said Indians having submitted their Dominions & Territories to His Majesty which S^r William Keith promised accordingly

20 August 1730

Sir William Keith attending presented to their Lord^{ships} as desired the form of a declaration or Agreement proper to be mutually made by the Chiefs of the Cerroque Indians now here and by such as His Maj^{ty} shall appoint on his part which was read and the Draft of a Letter to His Grace the Duke of Newcastle to know His Majesty's pleasure on this Subject was agreed and signed

25 August 1730

S^r William Keith and Col^o Johnson attending with the Interpreter of the Indian Chiefs. the Board had some discourse with them concerning the manner of treating with the said Chiefs.

1 September 1730

A Letter from the Duke of Newcastle dated the 2^d in answer to one from this Board of the 20th of the last month signifying His Majesty having approved of their making some Treaty or Agreement with the Indian Chiefs of the Cherokee Nation who lately came from Carolina and directing the Board to make such Agreement, and in such manner with the said Indian Chiefs as they should think for his Majesty's service was read Whereupon ordered that Col^o Johnson Gov^r of South Carolina and S^r William Keith be desired to attend the Board on Monday morning next as likewise the said Indians & their Interpreter Ordered that Sec^y do apply to the Sec^y at War's Office that two Sergeants with Indian Grenadiers may attend at the same time upon the s^d Indians their Lordships then agreed the form of a Treaty with the said Indians

7 September 1730

The seven Indian Chiefs of the Cherokee Indians attending as they had been
 desired with their Interpreter, Col. Johnson Gov^r of South Carolina, S^r M^r Keith and
 several other Gentlemen, Their Lord^{sh} explained to them by their Interpreter (who
 was sworn) the Term of a Treaty with them agreed at the last meeting in the words
 following:- 'Whereas you Seayagusta Oukah Chief of the Town of Sasactah, You
 Sealilashen Metagusta, You Jerhlowe, You Ologotah You Colannah You Unaco-
 ney You Ucounacou have been deputed by the whole nation of Cherokee Indians
 to come to Great Britain where you have seen the Great King George and in token
 of your obedience have laid the Crown of your nation with the Scalps of your
 Enemies and Feathers of peace at His Majesty's Feet. Now the King of Great
 Britain bearing Love in his Heart to the powerful and Great Nation of
 Cherokee Indians His Good Friends and Allies, His Majesty has impowered us
 to treat with you here and accordingly we now speak to you as if the whole
 Nation of the Cherokees their old men, their young men, their Wives and Children
 were all present. And you are to understand the words we speak as the words
 of the Great King Our Master whom you have seen and we shall understand
 the words which you speak to us, as the words of all your people with open
 and true hearts to the Great King. And thereupon we give four pieces of
 striped Duffles'

Hear then the words of the Great King whom you have seen and who
 has commanded us to tell you That the English everywhere on all sides of
 the Great Mountains and Lakes are his people and his Children whom he
 Loves that their Friends are his friends And their Enemies are his Enemies
 That

That he takes it kindly that the Great Nation of Cherokee have sent you hither
 a great way to brighten the Chain of Friendship between him and them and
 between your people and his people That the Chain of Friendship between him
 and the Cherokee Indians is like the sun which both shines here and also
 upon the Great Mountains where they live and equally warms the Hearts of the
 Indians and of the English That as there are no spots or blackness in the Sun so
 is there not any Rust or Dullness in this Chain And as the Great King has fas-
 tened one end of it to his own Breast He desires you will carry the other end of the
 Chain and fasten it well to the Breast of your Nation and to the Breasts of your old
 Wise Men your Captains and all your people never more to be broken or made
 loose And hereupon we give four pieces of White cloth to be dyed Blue.

The Great King and the Cherokee Indians being thus fastened together by
 the Chain of Friendship He has ordered his people and Children the English
 in Carolina to trade with the Indians and to furnish them with all manner of
 goods that they want and to make haste to build Houses and to plant Corn
 from Charles Town towards the Town of the Cherokees behind the Great Moun-
 tains for he desires that the Indians and the English may live together as
 the Children of one Family whereof the Great King is a kind and loving Father
 And as the King has given his Land on both sides of the Great Mountains to
 his own Children the English so he now gives to the Cherokee Indians the privilege
 of living where they please and he has ordered his Governor to forbid the
 English from building Houses or planting Corn near any Indian Town for
 fear that your young people should kill the Cattle and young Lambs and
 so quarrel with the English and hurt them And hereupon we give ten other
 pieces

pieces of white cloth to be dyed Red

The Great Nation of Cherrakees being now the Children of the Great King of Great Britain and he their Father The Cherrakees must treat the English as brethren of the same family and must be always ready at the Governors command to fight against any nation whether they be white men or Indians who shall dare to hurt or molest the English And hereupon we give twenty Suns.

The nation of the Cherrakees shall on their part take care to keep the trading path clear and that there be no blood in the path where the English white men tread even tho they should be accompanied by any other people with whom the Cherrakees are at war. Whereupon we give four hundred pounds weight of Gunpowder

That the Cherrakees shall not suffer their people to trade with the white men of any other nation but the English, nor permit white men of any other nation to build any Forts Cabins or plant Corn amongst them or near to any of the Indian Towns or upon the lands which belong to the Great King and if any such attempt shall be made you must acquaint the English Governor therewith and do whatever he directs in order to maintain and defend the Great Kings right to the Country of Carolina. Whereupon we give five hundred pounds weight of Swan Shot and five hundred pounds weight of Bullets

That if any Negro Slave shall run away into the Woods from their English Masters the Cherrakee Indians shall endeavour to apprehend them and either bring them back to the plantations from whence they run away or to the Governor and for every Negro so apprehended and brought back the Indian who brings him shall receive a Sun and a Match Coat. Whereupon we give a Box of Vermillion Ten thousand Sun Beads and

and one dozen Hatchets

That if by any Accidental Misfortune it should happen that an English Man should kill an Indian, the King or Great Man of the Cherakees shall first complain to the English Governor and the man who did it shall be punished by the English Laws as if he had killed an English Man And in like manner if an Indian kills an English Man the Indian who did it shall be delivered up to the Governor and be punished by the same English Law as if he was an Englishman Whereupon we give Twelve dozen of Spring knives, Four Dozen of Brass Kettles and Ten Dozen of Belts

You are to understand all that we have now said to be the words of the Great King whom you have seen and as a token that his Heart is open and true to his Children and friends the Cherakees and all their people He gives his Hand in this Belt which he desires may be kept and shewn to all your people and to their Children and Childrens children to confirm what is now spoken and to bind this Treaty of peace and Friendship between the English and the Cherakees as long as the Mountains and Rivers shall last or the sun shine Whereupon we give this Belt of Wampum And their Lordships desired they would give their answers thereto on Wednesday morning next. Their Lordships then shewed them samples of the abovementioned presents and the Chief of the Indians said to the Board by his Interpreter that they were not come hither as Enemies but as Friends That altho they did not expect to see the King Yet they had seen him And that they would give their Answer to the said Treaty on Wednesday morning next.

9 September 1730

The seven Indian Chiefs of the Chouteau Nation attending as they had been desired with their Interpreter as likewise Col^o Johnson and S^r William Keith Their Lordships told them that they were ready to hear what the said Indian Chiefs had to say in answer to the proposals made to them in behalf of His Majesty on Monday last. Whereupon Seallesken Retagusta being directed by Skyagusta Oukah and the rest of the said Indians to speak in their behalf delivered himself in the following terms:

We are come hither from a dark Mountainous place where nothing but darkness is to be found but are now in a place where there is Light. There was a person in our Country with us. he gave us a Yellow Token of War like Honor that is left with Moytchoy of Jellequa and as Warriors we received it. He came to us like a Warrior from you a man he was his Gait was upright and the Token he left preserves his Memory amongst us.

We look upon you as if the Great King George was present and we love you as representing the Great King and shall die in the same way of thinking.

The Crown of our Nation is different from that which the Great King George wears and from that which we saw in the Tower but to us it is all one and the Chain of Friendship shall be carried to our people.

We look upon the Great King George as the Sun and as our Father and upon ourselves as his Children. For tho' we are Red and you White yet our hands and hearts are joined together.

When we shall have acquainted our people with what we have seen our Children from Generation to Generation will always remember it.

In

In war we shall always be as one with you the Great King Georges enemies shall be our enemies, his people and ours shall always be as one and die together

We came hither naked and poor as the worm out of the earth. but you have everything and we that have nothing must love you and can never break the Chain of Friendship that is between us

Here stands the Governor of Carolina whom we know. This small Rope we show you is all we have to bind our slaves with and may be broken but you have Iron Chains for yours We shall bind them as well as we can and deliver them to our Friends again and have no pay for it

We have looked round for the person that was in our Country he is not here however we must say that he talked uprightly to us And we shall never forget him.

Your White people may very safely build Houses near us we shall hurt nothing that belongs to them. for we are the Children of One Father the Great King and shall live and die together

Then laying down His Feathers upon the Table he added. This is our way of talking which is the same to us as your Letters in the Book are to you. And to you Beloved men we deliver these Feathers in Confirmation of all we have said And of our Agreement to your Articles

After which their Lordships told them they were well pleased with the consent they had expressed to the Articles proposed to them in His Majesty's Behalf.

29 September 1730

A Memorial from S^r Alexander Cuming Bart in relation to the Cherokee Indians was read and their Lordships resolved to consider further thereof at another opportunity

30 September 1730

A Letter from S^r Alexander Cuming dated this day relating to the desire of one of the Indian Chiefs to continue in England was read And an answer thereto was agreed and ordered to be sent

A Letter to the Duke of Newcastle for inclosing a Copy of the Articles proposed to the Indian Chiefs of the Cherokee Nation the 7th inst as also of the answer they gave the Board thereto the 9th inst. was agreed and signed.

16 October 1730

An Order of the Committee of Council dated the 9th of September 1730 directing the Board to prepare Instructions for the Gov^r of South Carolina for the settling a Number of Swiss Families in that Province was read Whereupon ordered that the draft of an Instruction be accordingly prepared

3 December 1730

M^r Ogleshorpe S^r John Gausson M^r Jowers M^r Hicks and M^r Markcote attending they presented to the Board an Order of the Committee of Council dated the 25th of the last month referring to the Board a petⁿ from the Lord perowail and

and several others praying for a Charter of Incorporation for settling poor people in South Carolina in which province they desire a Tract of Land may be granted for that purpose And the said Order being read their Lord^{ships} desired these Gentlemen would put into Writing their particular proposals upon this subject and bring them to this Office as soon as may be that the Board might take them into Consideration which they promised to do accordingly

9 December 1730

The Lord Tyrconnel M^r Oglethorpe M^r Hutchinson M^r Hicks M^r Heathcote Sir H^m Chapman S^r Joseph Eyles and several other Gentlemen attending with several Merchants trading to South Carolina M^r Oglethorpe presented to the Board a Memorial from the Gentlemen concerned in the Petition for a Charter of Incorporation for settling poor people in South Carolina read the 3rd Inst. And their Lordships upon considering the proposals in the said Memorial acquainted them in answer to that part thereof which relates to their desire of having, holding, possessing enjoying & purchasing £1000 ~~frank~~ Inheritance in Great Britain and Estates for Lives or Years Goods and Chattels of any value &c

- 1st That the value of Goods and Chattels must be limited
- 2nd That no Rivers must be granted to them in propriety but that Rivers must be in Common to all the Kings Subjects
- 3rd That their Laws must be formed at home revised by the King and by his Licence sent to this proposed Colony subject always to his Royal upon their being found convenient

- 4th That all the military Officers in the said Colony must have their Commissions from the Governor of South Carolina
- 5th That all the Civil Officers in whom the Execution of the aforementioned Laws is to be lodged must be approved by the Crown
- 6th That they must pay the usual Quit Rent paid in that Province after a Term of Years.

M^r Oglethorpe then acquainted the Board that he would take the Opinion of the Gentlemen concerned on the foregoing propositions and wait upon the Board at another opportunity.

15 December 1730

M^r Oglethorpe attending with M^r Heathcote and M^r Hicks their Lord^{ss} took again into consideration the Memorial presented by M^r Oglethorpe in relation to a Charter of Incorporation for settling poor people in South Carolina read the 9th Inst. As also the propositions made to them at the same time And M^r Oglethorpe acquainted the Board that having consulted the several Gentlemen concerned in this affair they had directed him to inform the Board that as to the 1st relating to the Value of their Goods and Chattels should the same be limited to a large sum. they apprehended it might be a prejudice to their undertaking And if to a small sum it might not answer the End proposed and therefore desired they might not be started as to Value. In answer to the 2^d Viz^t That no Rivers should be granted to them in propriety he said they submitted thereto but desired their Grant might be bounded Southerly by the most Southern Branch of the River atacamaha

Altamaha and northerly by the most large and navigable Branch of the Savannah. In answer to the 3rd relating to the manner of making their Laws they agreed that the Laws to be made by this Corporation should be immediately laid before the King and if not disapproved of by him they might be sent over and be in full force until the King shall think fit to disallow them. In answer to the 4th & 5th they agreed that all their Judges Justices of the peace and all their Commissioned Military Officers should be approved by the King. In answer to the 6th they agreed to pay the province Just Rents for their Lands as the same should be improved. Their Lord^{ies} then agreed to consider further of this Affair tomorrow morning

16 December 1730

Their Lordships taking again into consideration the Order of the Committee of Council referring to the Board a petition from the Lord Stourmal and several others praying for a Charter of Incorporation for settling poor people in South Carolina and the Memorial from Mr. Oglethorpe mentioned in the Minutes of the 3rd and 9th Instant gave directions for preparing the Draft of a Report thereupon

B P R O. South Carolina D I Vol 4 662.

(2^d January 1739/40)

S^r

I begg leave to give you some further thoughts of mine in respect to the better settling and Government of Carolina which I begg you to lay before their Lordships if you shall think proper. And

First as there are many people not¹ settled upon the River of Wyrisah I conceive it to be necessary to lay out a Town, make it a Post of Entry and appoint a Collector there

Secondly as I conceive it will be of very great Service and Security to the Colony to Encourage the building of Towns, it will be necessary for me to be Instructed on this Head, & to have his Majestys particular directions to sell out a sufficient quantity of Land Gratis for that purpose where it shall be judged most properly by the Governour Council and Assembly to have Townships laid out

Thirdly It is Submitted whether it be not necessary for the better settling of this Colony by the Encouragement of New Product that a Bounty be given upon Raw Silk, Pott Ash, Kine and live Oak for knee or compass Timber, w^{ch} latter is much wanted in

¹ Now.

in his Majesty's Docks and is the best Oak in the World for that Service, and of all his Majesty's Dominions in America, only grows in Carolina.

Fourthly It is my Opinion that it would be of very great Encouragement to the making Pitch and Tar and not any of the least detriment to his Majesty's Fir or any other Timber Trees, that I am Instructed to give leave to all persons requiring it under proper restrictions to make use of the dead light wood trees lying or standing upon his Majesty's Lands or the Lands not patented, as those trees are fit for no other use, and if not made use of in this manner will be every year diminished and wasted by people setting to the dry grass every Spring, which burning for miles together destroys great part of the light wood, and it is to be considered that if a restraint be put upon people so as not to be admitted to purchase large parcels of Land which is necessary because it hinders the well settling the Country without such leave of making pitch & Tar in his Majesty's Lands very little pitch and Tar will be made by reason the people purchase those grounds where Pine Trees only grow for no other end than to make Tar and Pitch, with Lands being generally very barren & not

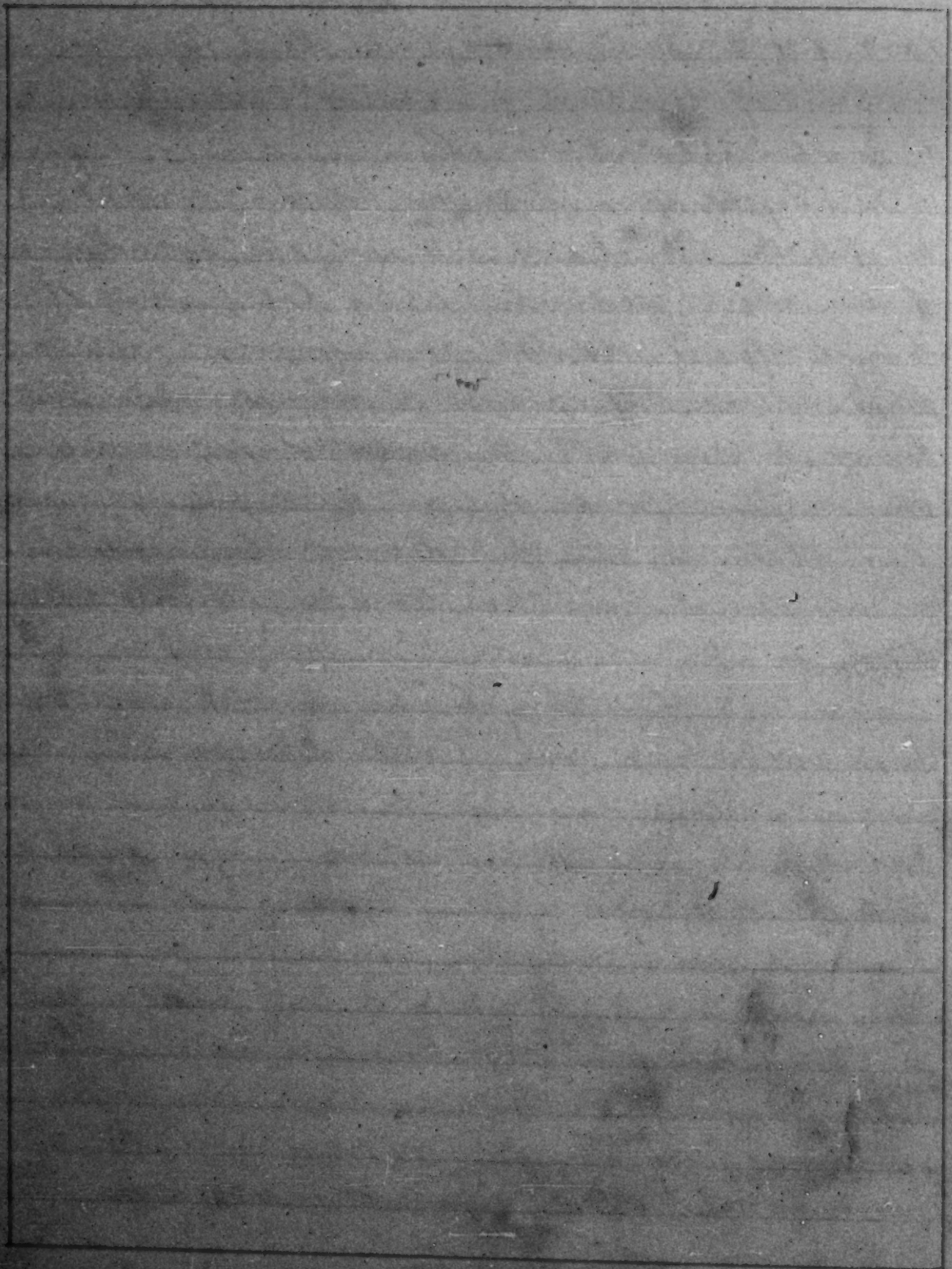
& not fit to plant, and as only Dead Trees are made use of very large quantities of Land are required to produce these Commodities.

Tifchly it is Submitted whether it would not be for his Majestys Service and the better Support of his Maj^{ty}s Authority in this Colony that the several Officers who hold and enjoy any post or place by virtue of patents or otherwise under the Crown be required & obliged to act and execute the same in person and not by Deputy

These are all the Articles which occur to me at present more than have been already laid before you by

S^t Your humble Servant
 January the 2^d 1729. Robt Johnson

Recd Larry 3^d }
 Recd D^r 26. } 1729/30



S. J. A. O. South Carolina B. L. Vol 12 p. 63 v 64

To the Right Hon^{ble} the Lords Commiss^{rs} for
Trade and Plantations.

We the underwritten Merchants Trading to
South Carolina being informed that your Lordships have
under Consideration the Paper Currency of that Province,
Beg leave to Represent to your Lordships that the yearly
Exports of the said Province amounts to upwards of £100,000
Sterling, and that the present Paper Bills being about
£100,000 does not amount to more than £15,000 Sterling

And in regard the said Province is already under
a very heavy Debt occasioned by their late Indian War,
and the Forces they are still obliged to keep in Pay
upon their Frontiers.

We humbly Pray Your Lordships to represent this
hard Case to His Majesty that he may be Graciously
pleased to allow the General Assembly of the said
Province to call in all the Old Bills and in lieu
thereof to stamp and Issue £100,000, and no more
in new Bills of Credit, and that the Law now
subsisting for sinking the Paper Currency, may be
suspended for seven Years, and the sums arising
thereby be annually apply'd towards the buying of
Tools

Tools and Provisions for such poor Protestant People
that will go and settle there

John Gerrard	Jacob Bell	Jos. Wyeth
Stephen Cabel	James Maintrav	Sam. Knapp
Richard How	A. Broughton	John Bell
W ^m Knapp	Sam ^l Arnold	Anthony Neats
	Rich ^d Shubrick	John Hewlett
	John Anns	John Watkinson
	Tho ^s Plumsted	W ^m Hodshorn
	Tho ^s Parsons	W ^m Cairn
	Geo. Halfhide	

Recd } Feb^y 15th 1729/30
Read }

34
D. P. R. O. South Carolina (B.T.) Vol 25, p. 241.

Whitehall

4 February 1728

To Col. Johnson.

Sir,

My Lords Commiss^y for Trade & Plantations having your Instructions under consideration, but particularly that in relation to the emitting of Paper Money, command me to send you the following Queries, upon which I am to desire, you will consult the Merch^ts Trading to South Carolina, and let my Lords have your Answer as soon as may be, viz^t:

What Num^r of Bills are now circulating in the Province of South Carolina, and to what Value?

What is the Fund established for repaying them?
Has that Fund ever been broken into?

For what Services were they raised?

To what use have they since been apply'd?

How long will it be before y^r present Bills can be discharged?

Is there at present any necessity for a Paper Currency? If any for what Value?

And what is the reason of such Necessity.
What

What Fund can be proposed to prevent their
being at Discount. I am,

Sir,

Your Most humble Servt
Alured Popple.

B. P. R. O. South Carolina B. J. Vol 4. 668

Queries from the R^t Hon^{ble} the
Lords Comm^{rs} for Trade and
Plantations.

Answers thereto from the
Merchants.

1st What Number of Bills
are now circulating in the
Province of South Carolina?
and to what value?

1st There is £106365 in Bills,
which amounts to £15192 n.
Sterling

2^d What is the Fund established
for repaying them?

2^d The Fund established for re-
paying them, was Dutys on
Negroes & Liquors

3^d Has that Fund ever been
broken into?

3^d It has been broke into and
applied to answer the Expence
of several Expeditions against
Privateers and Spanish Privateers
that infested their Coast and
for the charge and Expence
of their Guards and Garrisons
for the People have raised no
Taxes for three Years past

4th For what Services were they
raised?

4th They were chiefly raised to
answer the Demands upon
the Publick and defend them
Selves

5th To what use have they since been applyd?

6th How long will it be before the present Bills can be discharged?

7th Is there at present any necessity of Paper Currency?

8th If any for what Value?

9th And what is the Reason of such Necessity?

selves against a long and terrible Indian War, which has almost ruin'd the whole Province

5th They have (instead of being sunk) been applyd as is before observed to maintain Guards, Garrisons and Scout Bats upon their Frontiers and to answer the several Expeditions aforesaid.

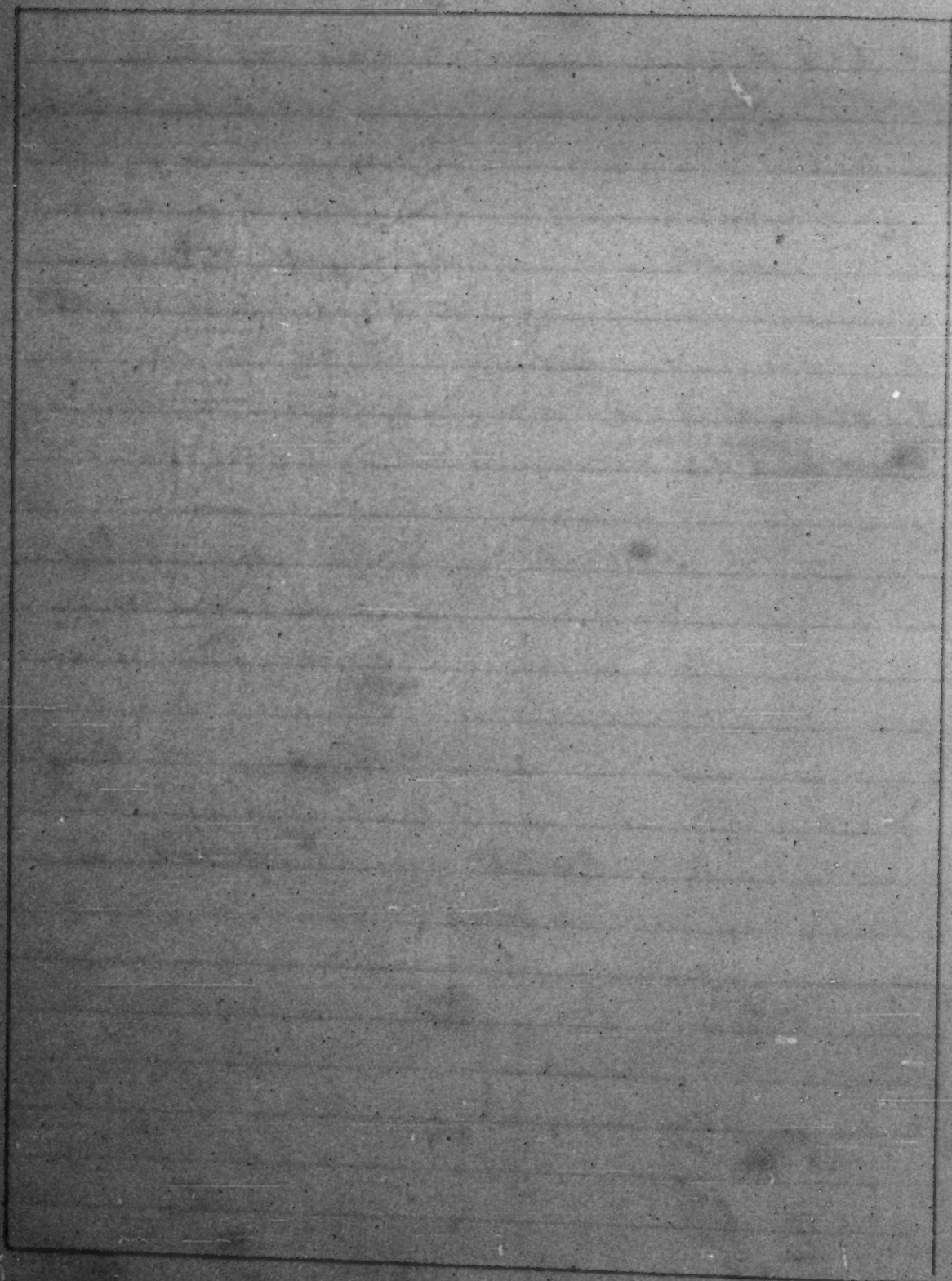
6th He proposed the Law for sinking them shall take Place seven years hence, and that they then be gradually sunk as the Duties arise.

There is an Absolute Necessity for £100,000. for the Reasons heretofore given, as it's impossible to raise so great a sum on the Inhabitants by Tax or otherwise, and such an Attempt, would drive most of the Inhabitants to Cape Fear and other Parts

10th What Fund can be
^{proposed}
(proposed) to prevent their
being at Discount?

10th He hoped the Duties upon
Spirits and Liquors will be
a sufficient Fund for the
Sinking those Bills and if any
deficiency, the Publick should
be obliged to make it good

Recd Febry 15th }
Read March 12 } 1729/30



B I R O. South Carolina B I Vol 12 C 65

(18th February 1730)

Sir

Robert Johnson Esq^r Governor of South Carolina having represented to the Commis^s the necessity of making the Bay called Winyeam Bay in the said Province a Port of Entry and the Appointing proper Officers there, and the Comm^s being informed that you have an Exact Map of that Country drawn by M^r Burrington, they desire you will lend it them, and at the same time transmitt them such Informations as may have been laid before the Lords of Trade relating to the Trade of the said Bay in order to their considering how far it may be necessary to appoint officers for the discharge of Ships Inwards & outwards at that place

I will take care to return you the Maps as soon as ever the Comm^s have done with it which I hope will be in two or three days after I have received it.

I am

Custom H^o London

Sir

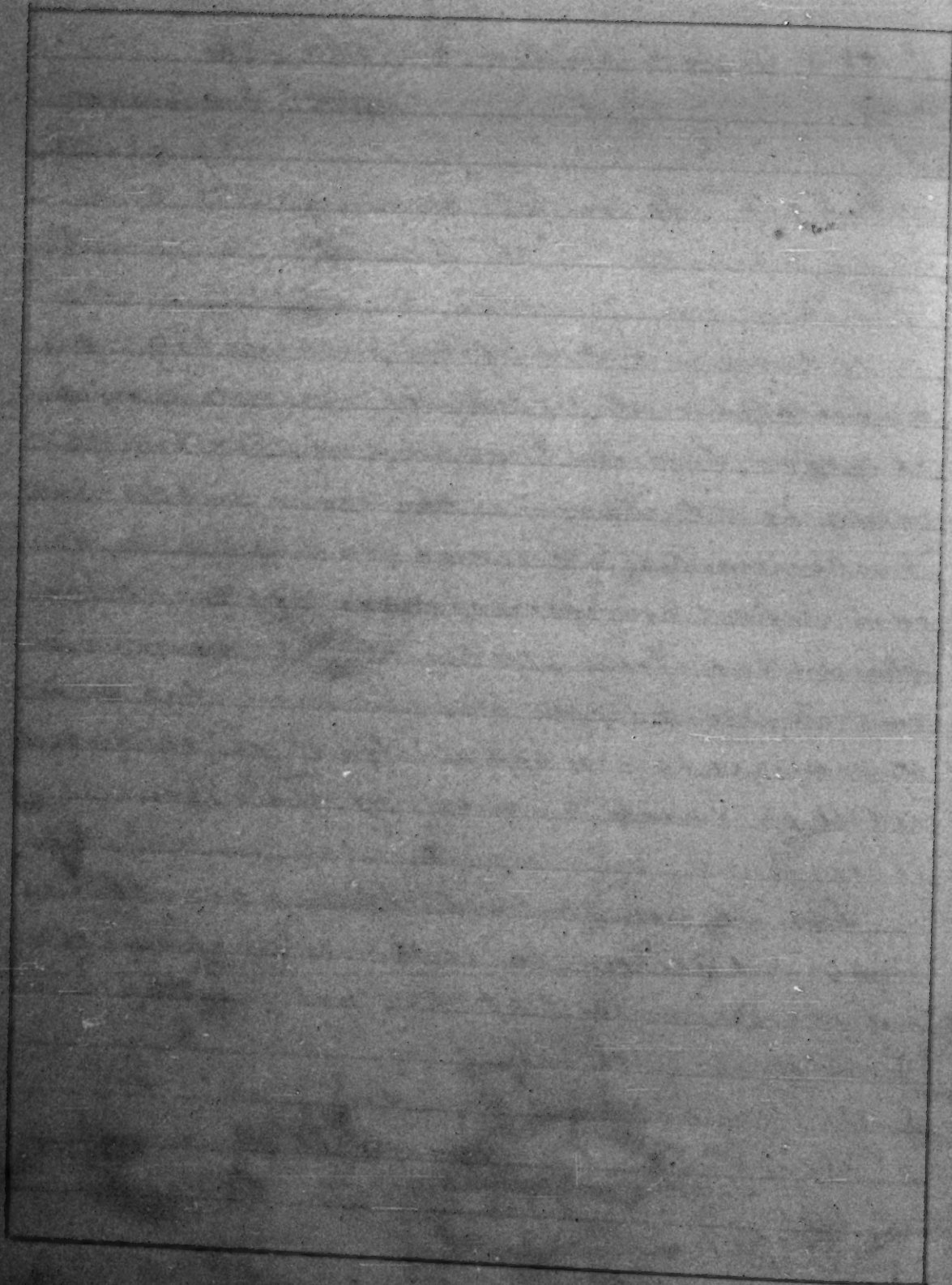
18th Feb^r 1729

Your most humble Servant

M^r Popple

Cha. Carter

Recd 25th } Feb^r 1730/30
Read 29



B. P. R. O. South Carolina (N.T.) Vol. 25. p. 242.

Whitchall.

Feb 19th 1729/30

To Charles Clarke, Esq^r

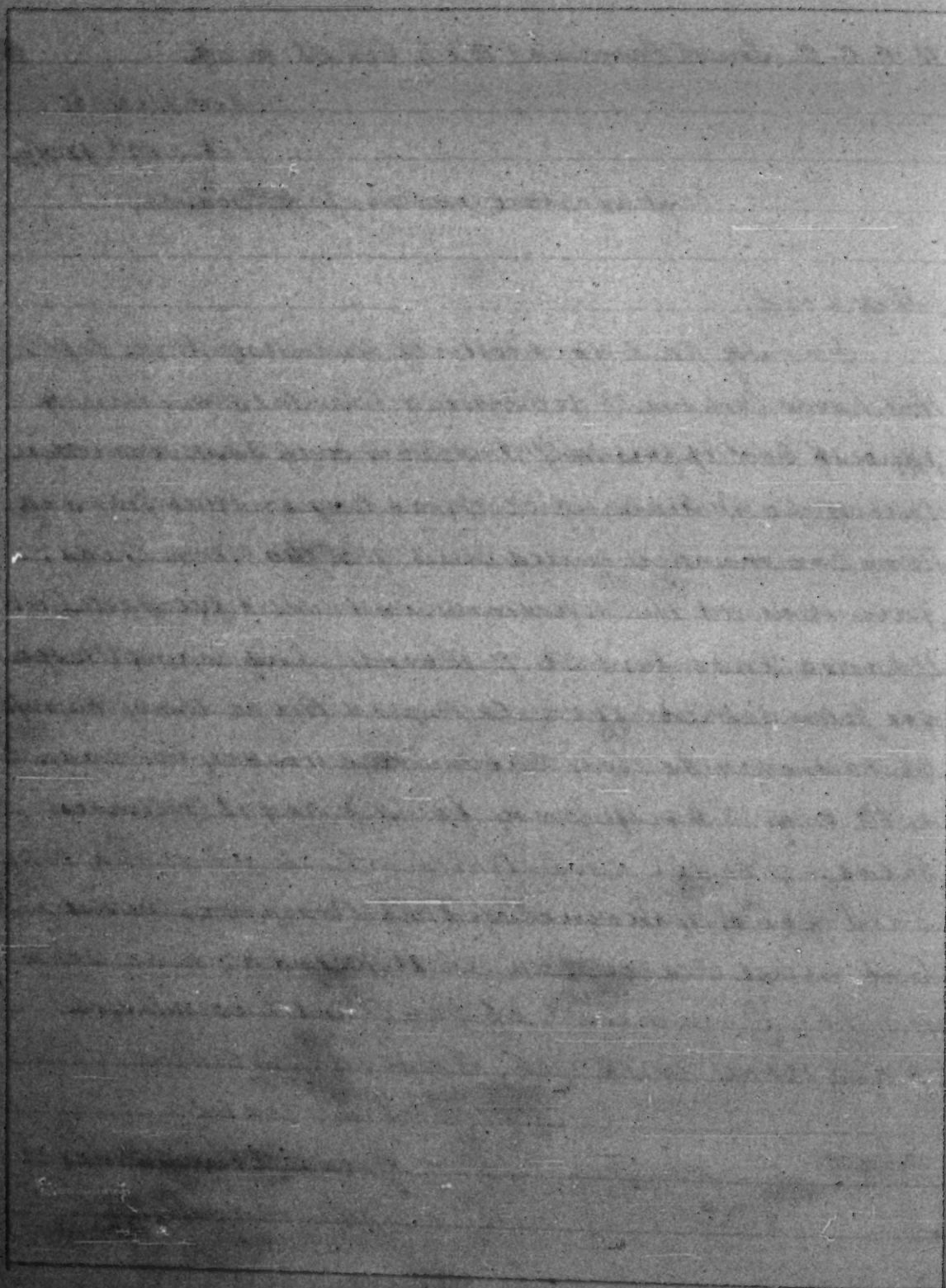
Sir,

Having laid your letter of Yesterday's Date, before
My Lords Commiss^{rs} for Trade & Plantations, desiring
Copies of any Informatⁿ My Lords may have received, re-
lating to y^r Trade of Wynyan Bay in South Carolina,
I am Commanded to acquaint you that my Lords,
Have received no Informations to that purpose. Col.
Johnson has informed y^r Board, that many People
are now settled upon Wynyan River, that it would
be necessary to lay out a Town there; to make it
a Port of Entry, and to appoint a Collector
there:

I send you inclosed the Map you mention
but must desire you will return it as soon
as the Commiss^{rs} of the Customs shall
have done with it, I am,

Sir

Your most humble Serv^t
Alured Poppe.



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B. P. R. O. South Carolina (R.T.) Vol. 25. p. 275.

Whitehall

Feb. 20th 1729/30.

To His Grace the D: of Newcastle.

My Lord,

It having been represented to us by Col: Johnson, whom His Majesty has been pleased to appoint Gov^r of His Maj^{ty}s Province of South Carolina, that the undermentioned Great Guns & other Stores of War are much wanted there, Vizt 40 Great Guns 12 pounders for the Bastions and line next the sea at Charles Town, and 20 Eighteen pounders with 12 tons for Johnson's Fort, 500 light Musk^{ts} and as many pair of Pistols, Swords and Pouches; We desire Your Grace will move His Majesty for His Royal Pleasure relating to the said Stores, which we think necessary for the service of this Province, We are

My Lord &c

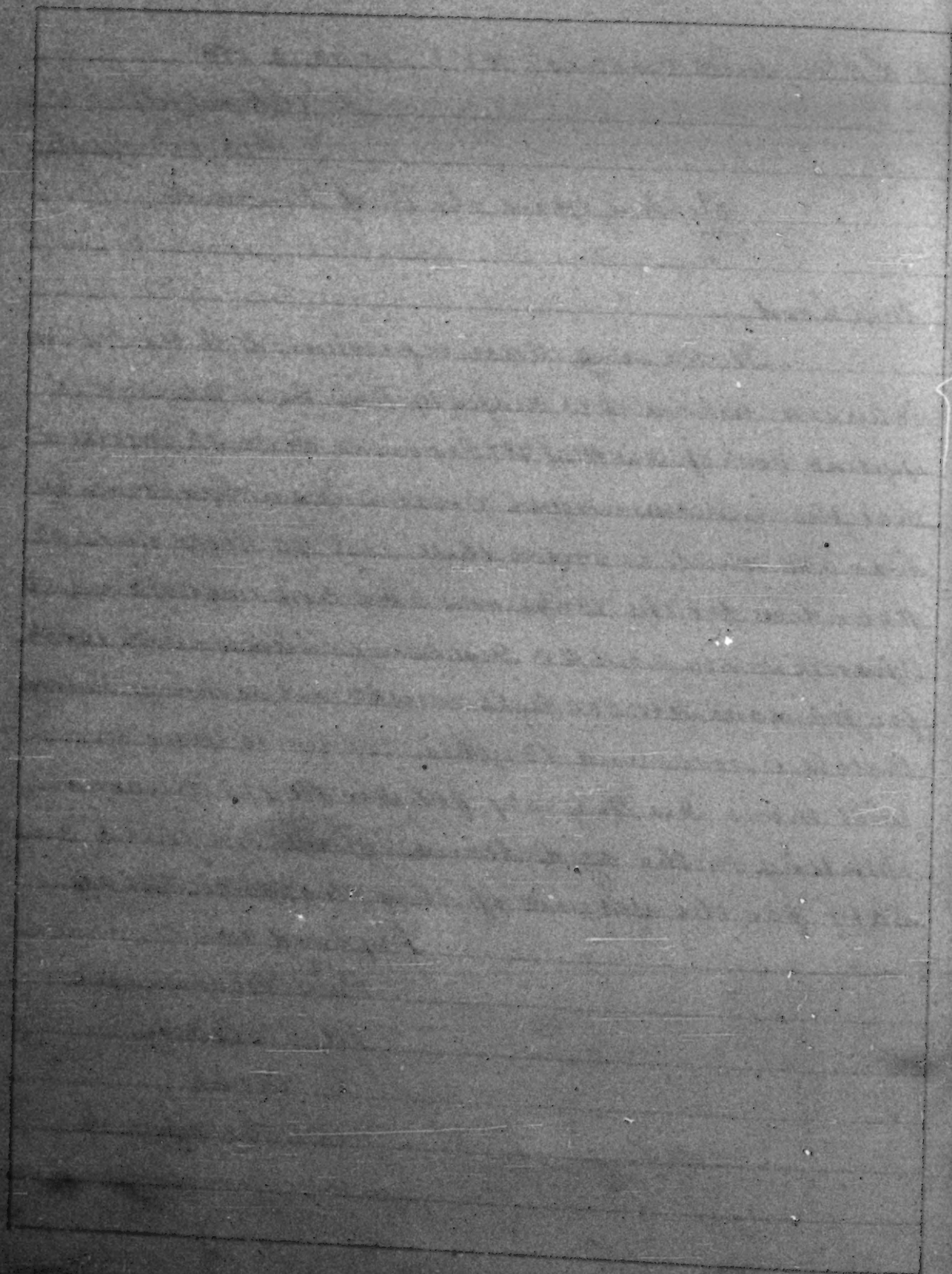
Paul Docminique,

M. Toladero.

E. Ashe

W. Bridgman

W. Cary.



B P R O. As H. I. Vol 121

(20th February 1730)

My Lord

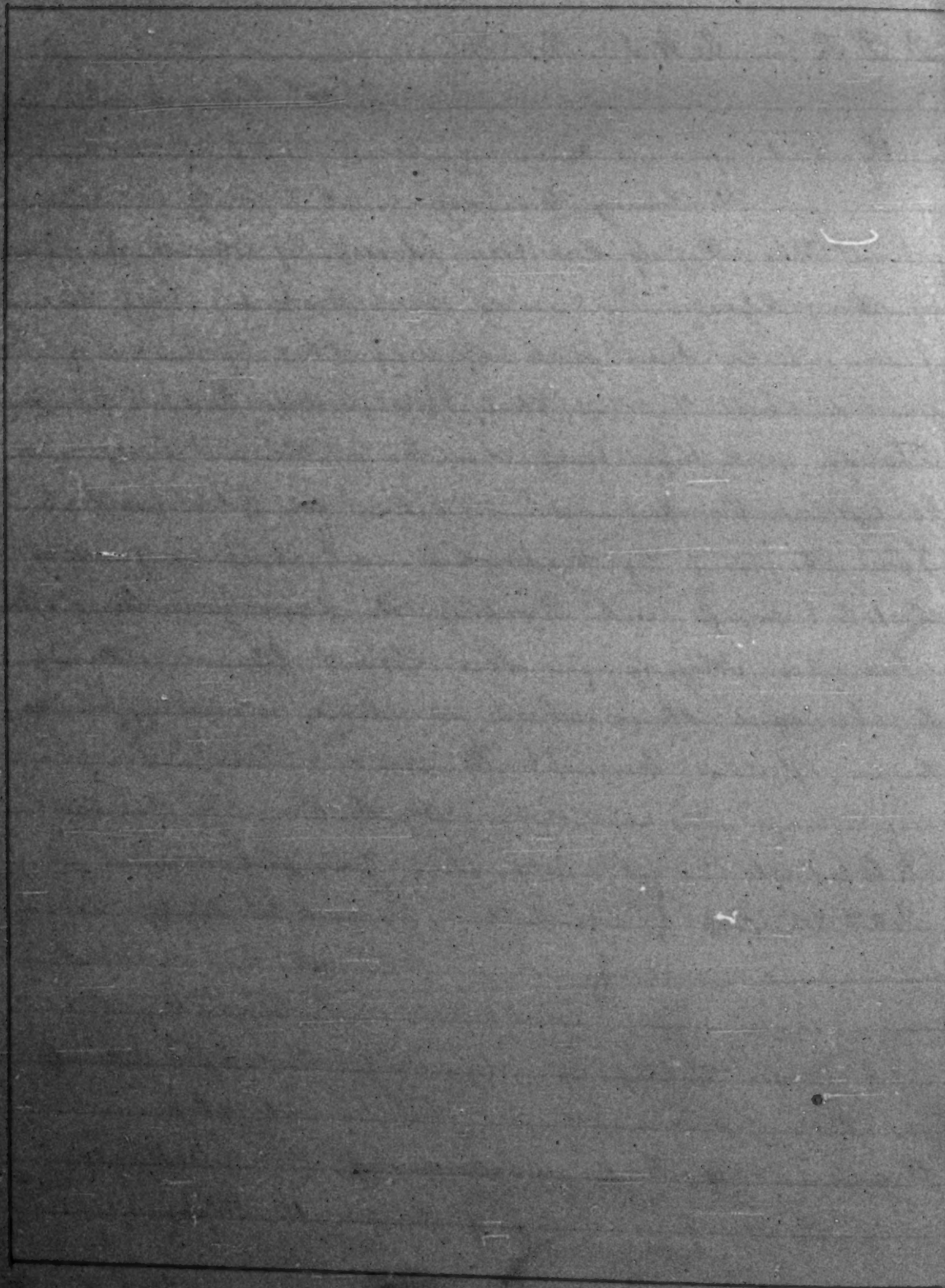
It having been represented to us by Col: Johnson whom His Majesty has been pleased to appoint Governor of His Majestys Province of South Carolina; that the undermentioned Great Guns, and other Stores of War are much wanted there vizt 100 Great Guns Twelve Pounders for the Bastions and Line next the Sea at Charles Town, and 20 Eighteen Pounders with 12 Sakers for Johnsons Fort. Five Hundred light Muskets, and as many pair of Pistols, Swords and Pouches; We desire your Grace will move His Majesty for His Royal Pleasure, relating to the said Stores which we think necessary for the Service of this Province We are

My Lord

Whitehall
Feb^y 20th 1729/30 }

Your Graces
most Obedient and
most humble Serv^t
P. Dominique
M. Bladen
Edw. Ashe

His Grace the Duke of Newcastle Oct: Bridgman
N. Cary



B. P. R. O. A. & W. L. Vol 621

Mem^o for His Grace the Duke of Newcastle,
Principal Secretary of State

What My Lord Carteret desires of His Grace the Duke of Newcastle has no relation to his Proprietorship of the Undivided Eighth Part of the Province of Carolina, nor to any thing contain'd in his Petition, which was humbly presented to His Majesty in Council; but relates only to the said Lord Carteret's Right to Six Baronies, consisting each of Twelve Thousand Acres of Land, English Measure, which he is entitl'd to take up, as a distinct Property, in the Province of South Carolina; pursuant to a Grant made to him, his Heirs, & Assigns by the late Proprietors in the Year 1711, and preserved to him, together with all his other Rights, by the Act of Parliament.

The Said Lord Carteret desires his Grace's Letter to Governor Johnson, that he will give all due encouragement to such Agents, as the said Lord shall appoint, for taking up the said Lands; and likewise, that His Grace will give directions to the said Governor, to give all due encouragement to the said Lord's Agents, for receiving of his Quit Rents, & the
Amors

Amiens thereof

S. P. R. O. South Carolina B. L. Vol. II 1769

In case what the Merchants have already given into Your Lordships is not approved on them they humbly propose the following scheme for your Lordships consideration

- 1st That the Assembly may have leave to print £30,000 on Parchment Bills, which should be declared proclamation Money made current in all payments, and the value or Weight of Plate mentioned in the said Bills as in those in the New Jersey Government.
- 2^d That the Bills now current be called in and New Bills given in exchange for the old ones at the rate of one for four, at which calculation, its supposed £20,000 of the new Bills will take in or be equivalent to all the old Bills now subsisting.
- 3^d That the remaining £10,000 shall be lent out on Interest at 10 p 8^t upon good Land Security and not above £200 to any one Person at the discretion of Commissioners to be appointed for that purpose, but the said Interest and Principal to be payable in Silver Money at 4^{pes} p oz or the in Rice at 10 p 8^t which will raise £1000 yearly to the Publick which with

G. A.

4th A Tax of £1000 to be levied yearly on the whole Province in such manner and proportions as shall be thought fit, but to be paid in Proclamation Money at 6/10^r p^r oz or else in Rice at 10^{rs} p^r b. delivered to such persons appointed to receive the same clear of all Charges in Charles Town.

5th That £1500 of the £2000 aforesaid, whether it be in Silver or Rice be yearly Apply'd for the calling in and Sinking so many of the new Bills as amount to that Sum, by which method, the whole will be sunk in 20 Years.

That the remaining £500 be apply'd for the Salaries of the Commissioners or such other persons as shall be employed either in the Signing Issuing and Sinking these Bills or collecting the Tax and what ever may be the Overplus may be apply'd for the Service of the Publick in such manner as the General Assembly shall appoint

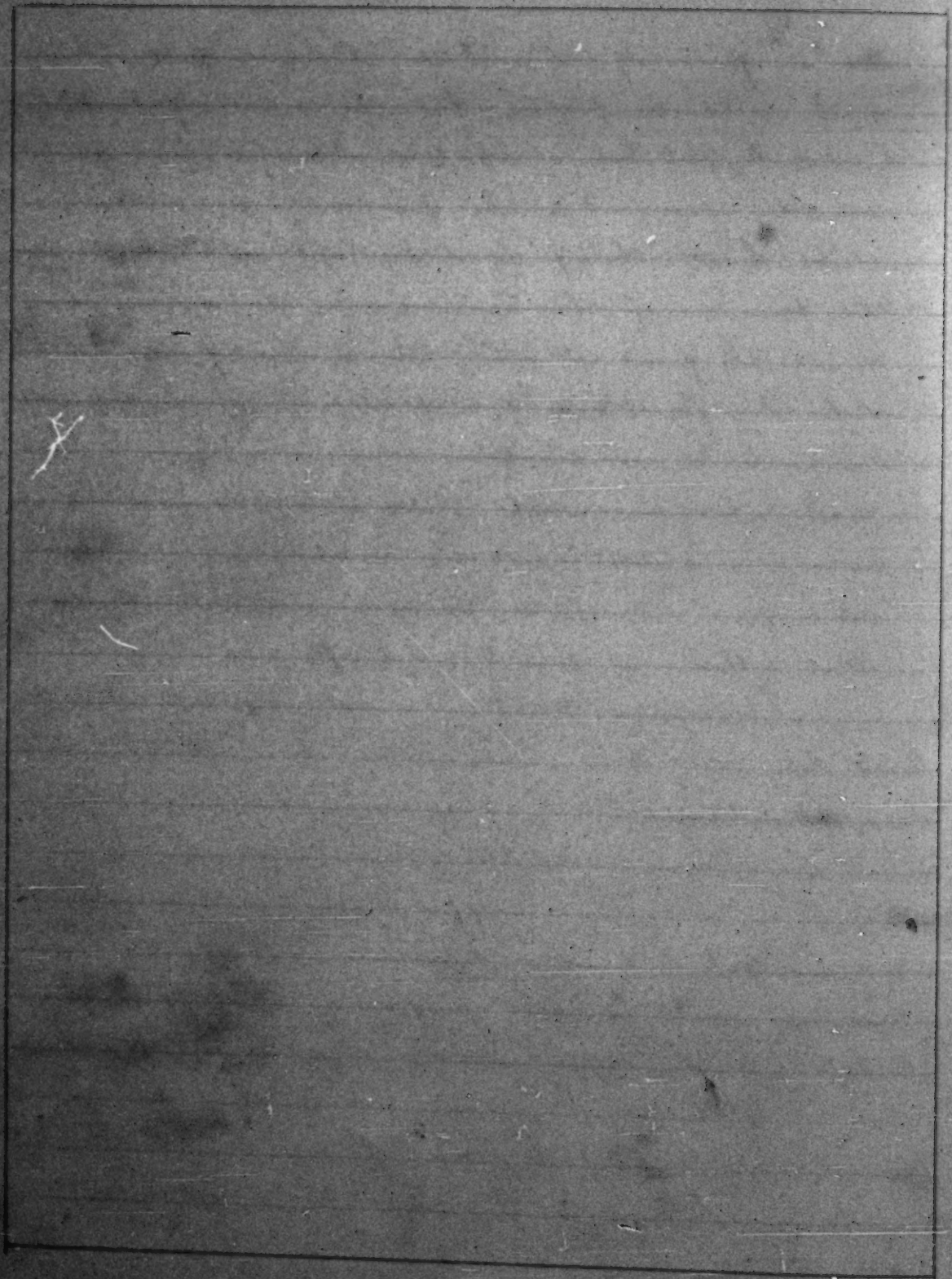
6th That a Tender of 10^{rs} in the new Bills or 1 b. weight of Rice shall be a lawfull Tender for 100^{rs}, and so in proportion for all debts contracted before the Commencement of this Act.

7th That in order to give the Bills an Equal value and to prevent any distinction or preference which might arise

arise in favour of those Bills that are first called in, it would be proper, that the numbers of the whole £30,000 be put into a wheel or Dce and that yearly and every year, when the Tax and Interest Money is received £1500 thereof be drawn out by a Child in the presence of the Commissioners, the numbers whereof should be fixed at the Church door of every Parish that the possessors of such Bills may apply to the Commissioners accordingly.

By this means the Bills will have a universal Currency and the value will be ascertained as the whole will be paid in 20 years either in Exchequer Money or in Rice at 10^s p. l.

Read Febry 25th }
 Read March 12 } 1729/30



B. P. R. O. South Carolina B. I. Vol 4 6 73

(5th March 1729/30)

To the Right Hon^{ble} the Lords Commissioners for
Trade and Plantations.

The humble Memorial of Tho Lowndes.
Sheweth

That as your Memorialist was the Person
who first gave the Protestants of the Palatinate an
Idea of South Carolina, upon which they sent com-
missioners over, who made a just Report of the
Province, so he hopes your Lordships Candour will
not esteem it a Piece of Forwardnesse the annexing
to this Memorial some Letters upon that Subject.

And your Memorialist only begs leave
to observe to Your Lordships, that if the Palatins
are now disappointed of going to Carolina, when
their Disposition is strong, and their Expectation
raised, it will be a difficult matter hereafter, by
any means whatsoever, to induce them and your
Lordships are the best Judges, of what consequence
it is, to have South Carolina, the Frontier of his
Majesties American Dominions, well settled by an
industrious Race of People.

All which is most humbly submitted
to

to your Lordships great Wisdom.

(Enclosure)

Copy of Lowndes's Letter to M^r De la fontaine
Sir.

I fancy the Terms for Encouraging the
Palatins to go to South Carolina will be something
of this kind. That they have Land upon a good
Navigable River in perpetuity for One Penny per
Acre to be paid in Merchantable Pitch Hemp
Turpentine or Specie yearly. That the Three first
Years they pay no Quitt Rent at all, That a
Years Provisions and some tools be furnished them.
But of this there is no certain Dependance.

You that have provided Shipping for so
many Families of them to go to Pensilvania will
I believe think this good Encouragement considering
that in that Province upon their Arrival they
pay at the Land Office more than Seventy Five
Pounds Sterling per 1000^d Acres and Ten Shillings
for Ever as a Quitt Rent Yearly and that far
from any Navigable River and about 120 Miles
from Philadelphia whither they bring all their
Produce by Land Carriage. Please to favour me with
a

a Line whether you think these Terms not very
Advantageous

I am &c

10th Feb^r 1729/30

(Enclosure)

Sir

I have your letter of the 10th and observe
what you mention about the encouragement to be
given to the Protestants Palatines to go and settle
in Carolina which if we were sure His Maj^{ty}
would grant, there is little doubt to be made but
great numbers would thereby be induced to go over

As you justly observe it will be absolutely
necessary to furnish y^e first settlement of these
people with tools for Husbandry &c and provisions
for one year & if possible one should contrive to
make their Transportation thither on easy terms
I suppose one might gett thither about 500 or a 1000
familyes at first, and when these people are settled
& meet with good usage they will no doubt encourage
many of their Countrymen to follow their example

I think there should be a proportion of Land
to say so many acres fied for every whiteman woman
child

child & servants they bring over that neither more land be taken up then they can occupy nor less than will encourage them

The difficultys these people have mett with lately in Pensilvania will be another means of turning that stream to Carolina. & no doubt when they are once settled, there may be many valuable articles in trade greatly improved there, which now perhaps we are to much obliged for, to y^e Countrys on y^e Baltick

We have Transported good Quantities of these people from Rotterdam to Pensilvania of late years to their great Satisfaction for they must be well used on their Passage especially as there are generally many breeding women among them as well as children, therefore they must be treated with great humanity & decency so y^t proper Masters of Ships must be assigned for y^e purpose, else it might hinder y^e business & give an ill report of it.

I suppose His Maj^{ty} intends to grant the like priviledges to any Protestants of other Nations as well as y^e Palatines. When you are certain what y^e terms are these people may depend on I will encourage my friends on the otherside and please to

to note that this matter ought to be fixed by all
April at least, as the times of their embarkations
are gen^{ly} in April & may I am

Sir

Marlons Lane
Cannon Street 12 Feb^r 1739^{po}

Your very Humble Serv^t
Benj^t De la Fontaine

M^r Tho^s Lowndes

(Enclosure)

Sir

I received yesterday a letter from my friends
at Rotterdam in Relation to the Palatines they tell me
that a large Quantity of them will be downe there
in about 3 months, in order to transport themselves
for America, but are not determined to what place
that if they meet suitable encouragement from the
Government they chuse Carolina otherways they intend
for Pensilvania, they desire me to lett them know
what they may depend on that they may write to
their friends in the Palatinate & seem to be uneasy
that I cannot yett bee certain.

I shall have two large Triggot Ships at
Rotterdam in time for them, so it may bee of use to

us also, as we understand how to use these people
for as I said before they must be used well &
not trusted to every bapt^m. I am

Sir

Martins Lane Cannon Street Your very Humb. Servant
27 Feb^r 1729/30

Serg^t De la Fontaine

Recd March 5th 1729/30

Read 5th 18: —

D. P. & C. South Carolina D. I. Vol 4 670.

Col Johnsons answers to queries in relation to a Paper currency in South Carolina.

1st Query What number of Bills are now circulating in the Province of South Carolina and to what value.

There is £106,304 which according to the present Exchange is no more than 10,193 ^{lb} 5 ^s 1 ^d Sterling

2^d Query What is the Fund established for repaying them

By An Act of the Generall Assembly past the of Feby 1730 wherein it is Enacted that all Moneys Arising by Dutys laid on Negroes Liquors &c Excepting what is Appropriated Towards paying the Clergy's Salary & Building the Brick Church in Charles Town shall be cancelled Pursuant to an Order of their Excellencies the Lords of the Regency for cancelling of £65,000 ^{lb} the remainder was left to the consideration of the Assembly that should set there after

3^d Query Has that Fund ever been broken into
4th - - For what Services were they raised

That £2000 of the said Fund were applyed towards rebuilding of Alamachia Fort when burnt down
and

and since that Towards and Expedition to St Augustin, and fitting out a Privateer Sloop to Guard our Coasts from the Insults of the Spaniard, who came and cruised and took Bessalls off, of our Bar. —

3^d Query To what use have they since been applyed I dont Apprehend that they have been Applyed to any use (if any) it lies in the Treasurer. and Merchants hands the latter having by an Act of the Generall Assembly six Months to pay in their Dutys laid on Negroes &c

1st Query How long will it be before the present Bills can be Discharged

That if Your Lordships be pleased to Grant the Merchants requests set forth in a Memorial presented to Your Lordships the 14th of this Instant that 100000 of the Present Bills Be preserved for seven Years I Humbly propose that after the said Term be Expired that the aforesaid Act do take place again and that 15000 of the said Bills be Yearly cancelled, and if the said Dutys laid on Negroes Liquors &c be deficient that then in such case the deficiency be made good in the Generall Tax which will be in 17 Years before they can be all Discharged

7th Query Is there at present any Necessity of a Paper

Paper Currency.

8th Query If any to what Value

9th Query And the Reasons of such a Necessity

Considering how vastly Indebted the Planters are to the Merchants and Shopkeepers residing in the said Province which Debts are all due and payable in the present Paper Bills and should the present paper currency be lessen'd and become thereby nearer in Value to Sterling it would ruin at least $\frac{2}{3}$ of the Inhabitants of the said Province and the enriching of about 20 or 30 Persons on their Ruin and the heavy Taxes they yearly pay occasioned by Small Forts and Scout Boats they are obliged to keep on their Frontiers and how considerable a Trade is carried on in that Province, I am of Opinion that £100,000 is a just Medium between the Merchant and Planter and that a Lesser sum would not be sufficient.

10th Query What Fund can be proposed to prevent their being at a Discount.

I dont apprehend any Method can be proposed to prevent the Bills being at a Discount, for if the Value of the said Bills be ascertained it can be no otherways than in Rice Pitch and Tar the Produce of

of that Province, and they being so Perishable a Commodity the Merchants Trading there would be Great Sufferers thereby.

Upon the whole it is Humbly Submitted to Your Lordships, if it would not be more for His Majestys Interest and the Interest of the Province of South Carolina that the £106,389 now Current be preserved, and the Funds for cancelling of the said Paper Currency applyed towards paying the passage and buying of Provisions and tools for poor protestant people that will go over and settle in that Province and I humbly offer it as my Opinion that Numbers of Protestant People would Transport themselves to Carolina if they were sure of a Subsistance till they could procure it themselves.

If Your Lordships approves of my Proposall I beg Your Lordships will be pleased to Insert in my Instructions that all the moneys arising by Dutys Commonly called the Sinking Funds if there be any in the Treasury be applyed towards Discharging of the Publick Debt to the 25th of March 1720 and after that Term Expired Towards the use already proposed.

Witness Hand 7th 1720
 Seal D^y 24th 1720

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B. I. R. O. South Carolina B. I. Vol 4 C. 16

A Proposal for Improving and the better
Settling of South Carolina

1st That His Majesty be Graciously pleased to Grant 200,000 Acres of Land for Townships on the Frontiers at a Noble & Township Acknowledgement. Every Township to contain 20,000 Acres to be laid out as follows. Three Townships on Savannah River, one on the Head of Ponpon River, Two on Santee River, one on Watery River, one on Black River, one on Ludue River, and one on Wacomaw River, and that no Persons be Allowed more than one Lott in the said Townships, and that the said Person be a Resident in the said Township, and that each of these Townships have the Privilege of sending one or two Members duly Qualified to represent them in the Assembly.

2^d That all Lands without the Privilege of the said Townships pay 2-6 Proclamation money & Ann. p 100 Acres Acknowledgment to His Majesty His Heirs and Successors.

That no person hereafter be Allowed to take up more than two Acres of Land the said Person obliging himself to settle it within two Years on the said

said Lands revert to the King his Heirs &c.

3^d That no Person possess of any Lands in South Carolina be Allow'd to take up any more Except the said Person settles it within one Year the Governor and Council be judges what shall be deemed a sufficient Quantity so that the said quantity do not exceed 500 Acres.

4th That all Land laid out on any Navigable River, Creeks, Lakes, Bays, or Seas do not exceed $\frac{1}{4}$ part in Front, excepting Townships which shall be laid out in the most Advantageous manner that is possible for the Inhabitants of the Townships, and where two or more Townships shall be laid out on one or the same River, such Townships shall be laid out at least 20 Miles Distant from one another.

5th That no Person be Allow'd to take up any Lands on any of the said Rivers till the said Townships be laid out, and that the Surveyor General be Ordered to Lay out the Lands for the said Townships immediately.

6th And Whereas Several Persons are Possess't of Grants for Large Tracts of Land by the late Lords and Proprietors that no Person so Possess't be Allowed to

to take up more than two Acres of Land by virtue
of any such Grant within Ten Miles of any of
the said Townships.

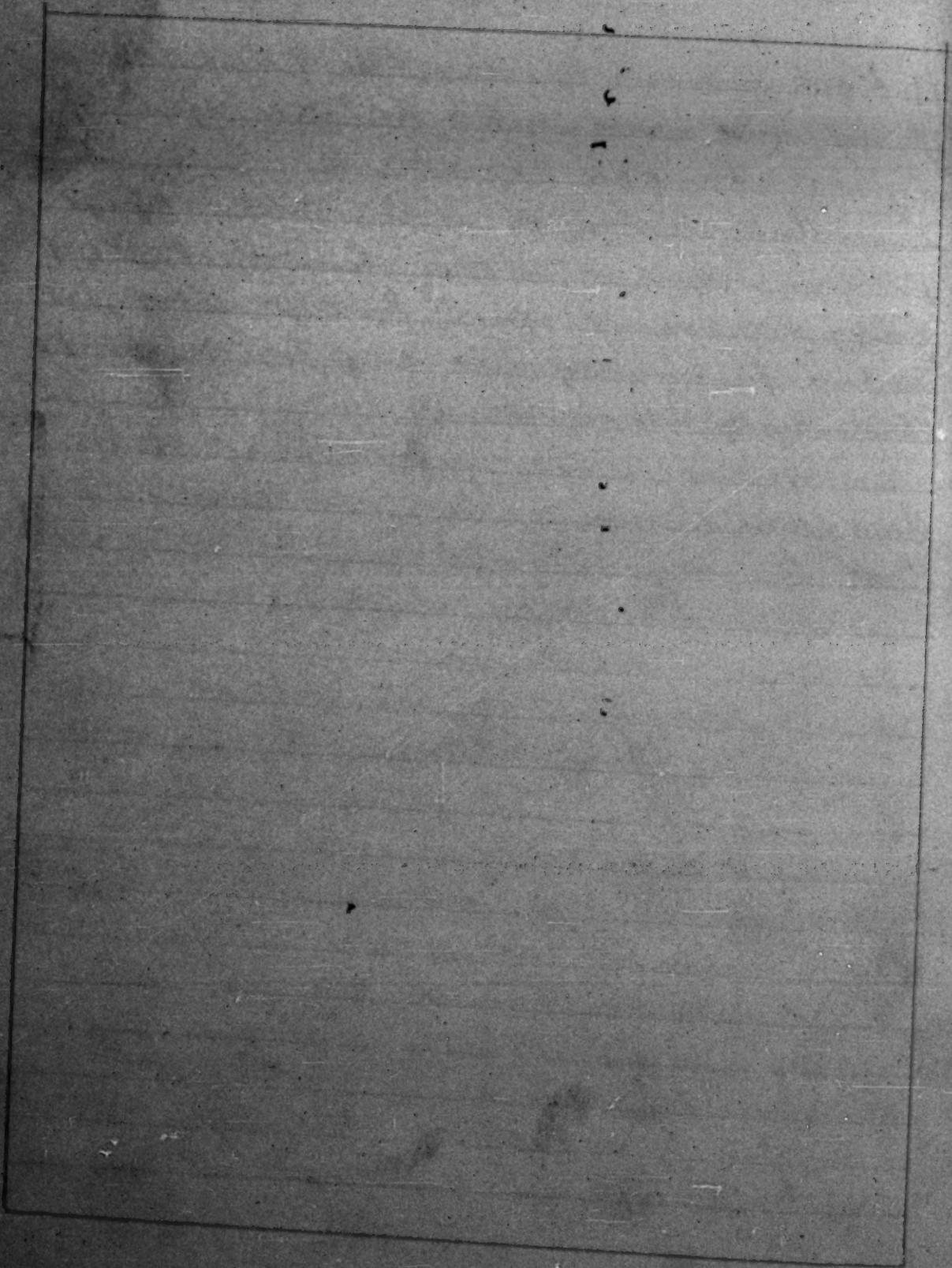
7th That all Foreigners as well as His Majestys
free born Subjects be Allowed Reasonable Quantity of
Lands and have the same Privilege in voting at
Elections for Assembly men as if born in any of
His Majestys Dominions

recd for Col Johnson

Recd March 7th 1729/30

Read O^c 13.

↑ "from" in
original in London. - J.D.W.



B. P. R. O. South Carolina B. T. Vol 4 875.

*A State of the Paper Currency in Carolina & a
Proposal in Relation to the Same.*

In the Year 1715 the Province of South Carolina being attacked by the Indians & threatened by the Spaniards was put to great Expence for their necessary defence & was thereby obliged to pass a Law for Issuing Bills of Credit to the amount of 30000 w^{ch} were to pass current in all Payments to the Publick & also in all Private Payments, & the Distress continuing more of those Bills were issued by subsequent Acts of Assembly, & altho the same were at first issued to be of equal value with Proclamation Money yet the Terror w^{ch} the Merchants & others Possessed of those Bills were under that the Province w^{ld} be entirely destroyed by the Indians & Spaniards put the said Bills to a great Discount so that 5^l in the said Bills were of the value only of 1^l Proclamation Money, & 7^l in the said Bills in value only of 1^l Sterling w^{ch} was a great Damage & Loss to those who first had rec^d those Bills as Proclamation Money.

After the said Bills came to this Discount
the

the Distress of the said Province continuing the Assembly found themselves und^r a Necessity by subsequent Laws to issue more of the said Bills but the same were issued at the then & now current value of the said Bills and altho those who reced the first Bills were great Sufferers yet those in whose Hands the said Bills now are reced them only at the present Value which has continued the same for abt 7 Years past & all Merchants & others have accordingly made their Contracts.

Complaint having been made in England in relation to the said Bills Instructions were sent to Gov^r Nicholson not to give his Consent to any future Law for Issuing more of the said Bills, & to endeavour to obtain a Law for selling a fund for the annual Sinking of the Bills the subsisting & accordingly in the Year 1723 An Act of Assembly was pass'd that all Moneys arising by Duties laid on Negroes Liquors &c (except what is appropriated towards paying the Clergy's Salary, & building the Brick Church in Charles Town) sh^d be cancelled pursuant to an Order of their Excellencies the Lords of the Agency for cancelling of 5000^l & the Rem^t sh^d be left to the Consideration of the Assembly that sh^d

Set

set thereafter, but since the Passing of that Act part of the said Fund has been applied towards rebuilding of Alatamaha Fort & towards an Expedition to St Augustin & fitting out a Privateer Sloop to Guard the Coast from the Insults of the Spaniards who cruised & took their vessells off their Barr.

The Bills which now remain uncanceled amount to 106 354^{to} which in Sterl Value at the rate of 7 for 1 amounts to 15193. 8. 1³/₄ & the Assembly of that Province have for 3 Years past refused to grant any Supplys for the Service of the Publiish, which has occasioned a very great Disorder & Confusion & they insist that the Bills now current shall be completed to the Value of 100,000^{to} which is equivalent only to 20 000^{to} Sterling & that less than that Sum is not sufficient to circulate the Trade of that Province which they say amounts to 120 000^{to} Sterl p Ann

All the considerable Merchants in London trading to Carolina have been consulted on this occasion & are of opinion that some Paper Currency in Carolina is absolutely necessary, there being scarce any Gold or Silver to supply the Place thereof & that

that the making of Rice Pitch & Tarr (which are perishable Goods) at any Value a tender in Paymt^t w^old be highly prejudicial to the Merchants & Trade of that Province & are therefore desirous that 100,000^l of the said Bills may continue current, & that the Act now subsisting for sinking of the same may be suspended for 7 Years & that the Fund appointed for that Purpose may be applyd to the Support for one Year of such Familys as shall come & settle in Carolina

There has been another Proposal made to the Comm^{rs} for Trade & Plantations for Issuing out 100,000^l in new Bills to be current as Money at Proclamation Value, & that the same sh^old be lent out to the Inhabitants at 11th p cent p ann^u Int: & that a M^ort^y of that Interest sh^old be employed annually to the sinking of the Bills now subsisting, & the other M^ort^y to the sinking of the new Bills To this Proposal the Merchants do not agree but have made another Proposal to the Board of Trade (vizt) To issue only 50,000^l of such new Bills to be current as Money at Proclamation Value, & that the old Bills sh^old be all cancelled & new Bills delivered out to the Possessors of the old Bills at the rate of 1^l for 4^s and

and that the Fund for sinking the old Bills sh^d be then applyed for sinking the said new Bills but the Merchants are much more inclinable to the first Proposal made by them.

All Parties are agreed that there is at present an absolute Necessity that there sh^d be a Paper Currency in Carolina to supply the Want of Gold and Silver & Merchants & Planters seem agreed to continue the Bills now current or to issue new ones in their stead on the same Foot, the value of them having been the same as they now are for 7 Years past. The only Difference is that the Planters desire 140000^l of those Bills & the Merchants think they ought to be restrained to 100000^l.

New Experiments & Projects may be attended with unforeseen Difficulties & it seems therefore reasonable to agree to the Method which both Merchants & Planters seem best satisfied with, rather than to new Schemes formed by Persons who do not appear to have any Interest in the matter & then the Quantity of the Bills to continue for the Term of 7 Years will be the only Point und^r Consideration (vizt) whether 140000^l as the Planters desire or 100000^l as the Merchants insist on.

It

It is therefore proposed that 105,000^l of the Bills now current (which is equal to 100,000^l Sterl.) be continued for 7 Years longer, or that the old Bills be cancelled & new Bills issued to the same value of 105,000^l & that the Gov^t of South Carolina be instructed to pass a Law for this Purpose & to suspend the sinking of the said Bills for the said Term of 7 Years and after the Expiration of that Term his Majesty may direct the sinking of the said Bills pursuant to the Act now in force for that Purpose or may grant a longer time for the currency of the same as shall then appear most for the Interest of the Province. This Method is certainly most agreeable to both Merchants & Planters & on that Account only surely deserves the Preference to Schemes of any other Persons less concerned in the matter, since it cannot be pretended that the said new Scheme will be more beneficial to the Province.

On the contrary it is evident to a Demonstration that this Proposal agreeable to both Merchants & Planters will be attended with advantages which the other Schemes does not pretend to aim at vizt that the Fund for sinking the said Bills during the said Suspension of 7 Years is to be applied to the Maintenance

tenance of new Settlers for one Year w^{ch} will greatly tend to the Speedy Peopling of that Province & therefore it is proposed that the Gov^r be instructed not to consent to the suspension of sinking the said Bills but on Express Condition that the Fund for that Purpose be applied as afores^d

It is humbly proposed that as a Mark of his Majestys Bounty & Goodness to this Province on its first coming entirely into the Possession of the Crown that his Majesty w^od be graciously pleased to direct that all the arrears of Quit Rents be applied to such Publick uses as the Assembly of that Province shall Judge to be most for their Advantage and as a proper Return of Gratitude for this Bounty it is proposed that the Quit Rents for the future may be settled at a certain Value for at present by an Act now in Force the same is to be paid in the Produce of that Province at such Value as two of the Council & two of the Assembly shall annually ascertain the same at, which probably will not exceed one fifth Part of the Value of Proclamation Money. It is therefore proposed that the same be made payable in Proclamation Money or in the Bills of that Province to the said Value & be made payable in Charles Town to such

such Person as shall be authorized by his Majesty to receive the same & to secure this Point effectually for the benefit of the Crown It is proposed that the Gov^t be instructed not to consent to apply the Arrears of Quit Rent as aforesaid nor to the suspension for 7 Years of Sinking the said Bills, but on Express Condition that the Quit Rents for the future be secured & ascertained to his Majesty in manner aforesaid.

It seems likewise necessary that the Gov^t sh^d be instructed for the encouraging of settling Townships & on what Terms, & in what Proportion he shall grant the Lands wh^{ch} are not yet disposed of

Read }
Read } March 13 1729/30

read from Col: Johnson

69
B. R. R. v. South Carolina (N.T.) Vol. 25. p. 274.

Whitchell.

18 March 1729/30

To Mr. Attorney and Mr. Solicitor Gen^l

Gentlemen,

My Lords Commiss^{rs} for Trade and Plantations having several Papers under their consideration in relation to the Settlement of Carolina, and observing that some Grants were made by the late Lords Prop^{rs} for large Tracts of Land, without any Limitation therein, either as to the place where or time when, the said Land is to be taken up and Sealed, Command me to send you a Copy of one inclosed to St. Nathaniel Johnson dated in 1686 which has never yet been put in Execution: My Lords Commiss^{rs} desire you will please to consider the same, and let them have your Opinion in Point of Law, whether such Grants are legal and of force.

And as the Validity of those Grants will naturally turn upon the Powers, Clauses & Design of the Original Grants from the Crown to the Lords Proprietors of Carolina I have likewise sent you those Grants for your further information upon this Subject.

The Governors of North & South Carolina being
to

to receive these Instructions upon this head, I am command-
ed to desire your Opinion, as soon as conveniently you
can. I am,

Gentlemen,

Your most humble Servant,

Alured Popple.

D. I. R. O. South Carolina B.T. Vol. 2 6 p.

Col. Johnsons Proposal for better improving & settling
of South Carolina, with Reasons ag^t reserving a Rent
of one Penny p^r Acre.

Here annexed is a proposal for y^e better Improving
& Settling of South Carolina which is presented to y^e
Right Hon^{ble} y^e Lords Commissioners for Trade & Planta-
tions, & their Lordships being of Opinion, that y^e re-
served Rents on Lands commonly call'd y^e Quint Rent,
ought to be att a Penny p^r Acre, as well within
y^e privilege of y^e Townships as without; which is
Apprehended will be a Great Discouragement to new
Settlers to settle in Townships.

When I Draw up these proposals for settling of
Townships, I proposed, that 20000 Acres be laid out
in a Square Tract, & in y^e middle of y^e said
Square a little Town of 200 Lots, not Exceeding $\frac{1}{4}$
part of an Acre Each Lot, which Town & Commons
is Computed will take up about 250 Acres. I pro-
pose that y^e 19600 Acres remaining be divided into
200 parcels, which shall belong to y^e Inhabitants
of y^e said Town, none to have less than 75 Acres
& none more than 100 Acres, those parcels nearest
y^e

y^e 1st Town to contain 75 Acres, and so Increasing to 100 Acres to those that are furthest off, now if new Commers could be encouraged to settle in Townships on y^e Frontiers, it will be a vast strength & security to y^e Province, and they will be able to fortifie themselves in their small Towns, & Defend themselves against y^e assaults of any of their Enemies.

When I consider how many of y^e Inhabitants were cut off, in our late Indian War, for want of places to shelter themselves from their Enemies, & had it not been for a Ship, that accidentally putte into Port Royall where y^e Neighbouring People saved themselves on Board, some scores must have perisht by y^e hands of their Enemies; and Carolina being y^e Southwardmost of all his Majestys Dominions on y^e Continent of America, and y^e most Exposed to y^e Spaniards att St^e Augustin and y^e French att Mobile, and great Numbers of Indians about us, who are often Induced by y^e French and Spaniard to butt off our Out Settlements; these things well considered, I am of opinion, that Great Encouragement should be given to new Commers to settle in Townships.

As to Lands without y^e Priviledge of y^e Townships, should

should they be putt all a Penny p Acre quit Rent
 I am apt to think that it will prevent Numbers
 of People from going to Carolina, being a Greater
 Rent then Barbadoes, and y^e Leeward Islands, pays or
 Virginia, New York, and New England, which Coun-
 tries are far more secure than Carolina, & not
 so burthensd with heavy Taxes; and I apprehend
 it may be a Discouragement to makeing of Pitch &
 Tar, for it is to be supposed, that no person
 will take up 1000 Acres of Pine Lands, and be
 obliged Himself to pay £ 4. 3. 4 Sterling quit Rent,
 when He can make no use of y^e s^t Lands but
 about 3 or 4 Years in twenty, if any Person should
 take up a 1000 Acres of such Lands, it is
 reasonable to think that after that person has
 workt up all y^e Light Wood, He'll suffer y^e s^t
 Lands to Excheat to His Majesty rather then pay
 a Yearly Rent of £ 4. 3. 4 for 16 or 17 Years, when
 He can make no use of that Land.

And if wee consider what Patents have been Granted
 by y^e Late Lords Proprietors, some for 45000, 25000,
 12000, and 6000 Acres of Land, They reserved to themselves
 on some of these patents but a proper Corn, on
 others 12^d p 100 Acres, and on some a penny p Acre
 but

but by an Act under Their Hands & Seals and recorded in y^e Secretarys Office of South Carolina They struck of 5 $\frac{1}{2}$ p 100 Acres of y^e Quit Rent of y^e penny p Acre Grants, which now is reduced to 3. $\frac{1}{2}$ p 100 Acres, which Patents or Grants putt all together cant make less than y^e or 8. 00. 000 Acres, which sd Lands being att a much Easier Quit Rent, it cannot be supposed that any person will take up any of His Majestys Lands att a Penny p Acre Quit Rent, when he can have Lands att a much Easier Rate, it is also to be supposed that Those Patentees will take up all y^e Good Lands to make an advantage of it to Themselves A. B. I have Laid out 50 Lots in every Town, more than Parcels of Land within y^e privilege of y^e Township, that Tradesmen may build on, and for School Houses, or Churches &c

Read {
 Read { March 18. 1729/30

B. P. R. O. South Carolina B. I. Vol 6 1779

To the Right Hon^{ble} the Lords Commis^{rs} for
Trade & Plantations

The humble Petition of Several Merchants of
London and Bristol in behalf of themselves
and others trading to South Carolina.

Sheweth

That by Acts of Assembly of that Province
there is imposed a duty of Ten pounds and another
(called y^e State house duty) of one pound (money
of that Province) on Every Negro imported there,
above the age of ten Years wth Sum of Ten pounds
& one pound added together amounts to more than
Thirty Shillings p^r head Sterl^t money of Great
Britain, according to y^t present rate of Exchange
from that Province.

That this is become a very great burthen &
discouragement to y^e British Trade and defeats the
good intention of Our Legislature (who by taking off
the dutys, & giving bountys have Endeavoured to en-
courage the Exportation of Our Manufactures) by thus
taxing of Negroes Imported from Africa who are there
purchased, principally wth British Goods.

That

That it is humbly conceived they have no right thus to Tax the British Trade for the Support of the contingent charges of that Colony or any publick Edifices there

Your Petitioners therefore most humbly pray your Lordships to cause the said duties to cease on ye British Trade by instructing his Majestys Governour (now going over) to that End or in any other manner as to Your Lordships shall seem meet and

Y^r. Petit^{rs} as in duty bound shall Ever pray^r.

William Chapman

Will. Jefferis

Sto. Pet. Godin

Read }
Read } c March 24. 1729/30

B. P. R. O. South Carolina B. I. Vol. 11 C. 50

(24th March 1731)

To the Right Hon^{ble} y^e Lords Commissioners for
Trade and Plantations

The Memorial of John Peter Purry of Amselbadel in
Switzerland, most humbly sheweth.

That, in the year 1724, he the said Purry came
into England, and proposed to the Government to con-
duct to South Carolina, and under proper Encouragement
to settle some Swiss families in the said Province

That upon his late Majesty's pleasure, signified
thereupon, the said Lords Proprietors of Carolina, on
the 27 of April 1725. Granted to M^r John Batt, in
Trust for the said Purry, 20,000 Acres of Land, and
Agreed (in Consideration of Three Pence Sterling per
Annum, per Acre, as a Quit Rent to be paid them)
to defray the Charges of Transporting from England to
South Carolina 600 persons, and on the first of May 1725, fur-
ther Granted 12,000 Acres more, at One Penny per Annum,
per Acre, and 12,000 Acres more, in consideration of one peck
corn for the whole 12,000 Acres, on Condition, that the said
Purry should, at his own Charges, settle 600 Swiss
persons, over and above the first 600.

That the said Lords Proprietors of Carolina, having
declined

declined Complaying with their Agreement, for defraying the Charges of Transporting the first Six Hundred Swiss persons, Granted, in the year 1726, to Messieurs Godin and Satua, in Trust for the said Purry 12000 Acres Gratis, on Condition that, he at his own Charges, should Transport, from Swisserland to Carolina, and there settle 200, persons; But that his Friends in Swisserland, being discouraged by the Actings of the said late Lords Proprietors, declined to come in the Grant so that the said intended Settlement could not be then carried on, and the said Grants are become Void, and of no manner of Use to him

That the said Purry hath been at very considerable Charges, in Endeavouring to carry on such a Settlement Therefore the said Purry humbly hopeth, that in Consideration of his Expences, such a Portion of Land in South Carolina will be allotted to him Gratis, and such farther Encouragement given him, as that he may be Enabled to settle such a Number of Swiss, in the said Province of Carolina, as shall be thought most proper. London 24th March 1729

Recd March 24th 1729th

Charles Purry

Recd D 25th 1730

B P R O South Carolina B I Vol 12 C 81

(25th March 1780)

My Lords

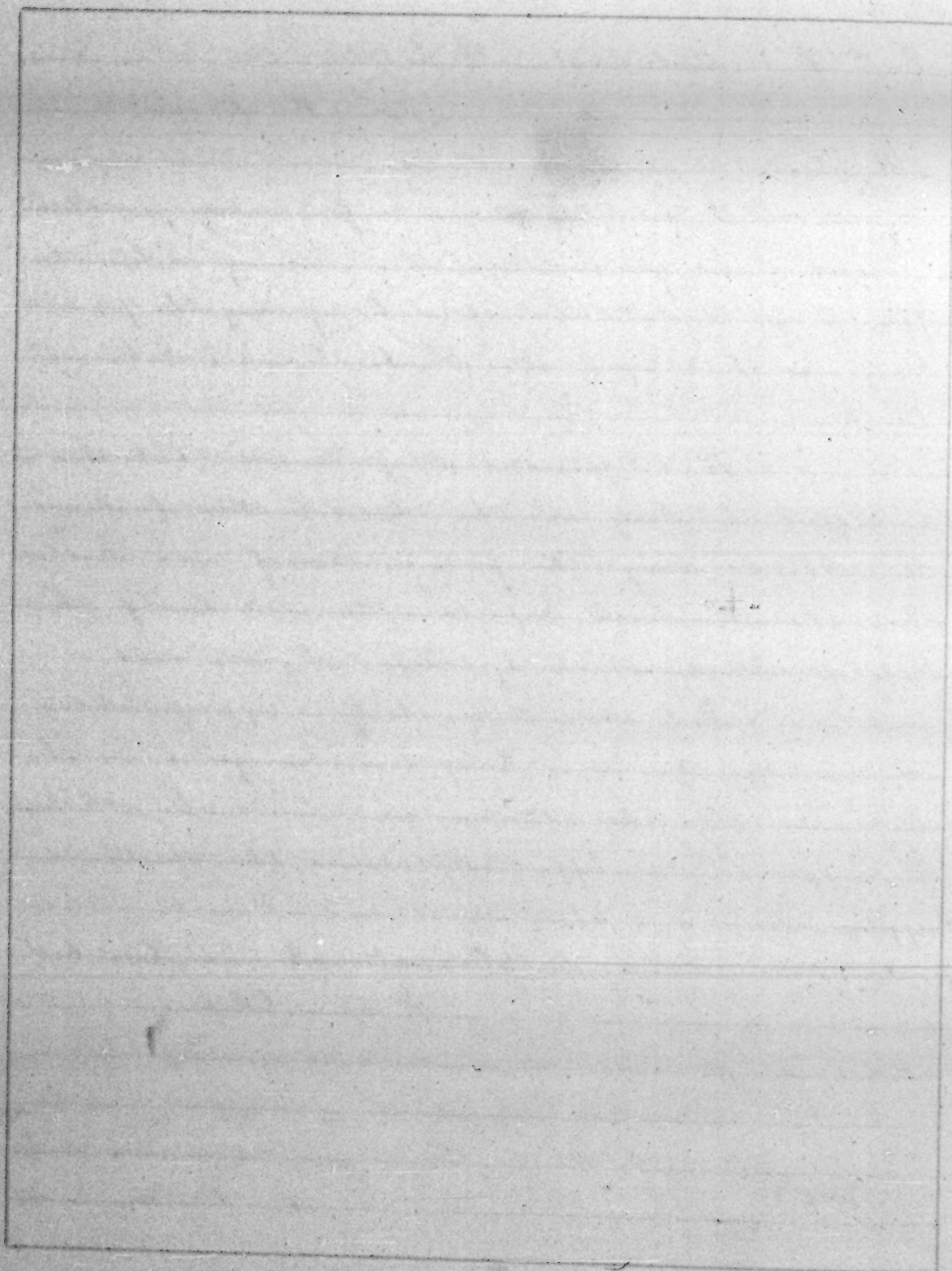
A Lameness having unfortunately prevented my waiting on y^r Lordships this Morning, I humbly offer to y^r Lordst^o an Expedient regarding the present Dutys as laid upon the Blacks Imported into Carolina.

We Represented to y^r Lordst^o that this is in Effect a Duty on the British Manufactures the Blacks being the produce thereof, and Further that the Merchant Importer often paid hereby the Duty for Blacks which dyed before they were sold.

But whereas this Duty is appropriated I should hope the same being laid henceforth on the Buyer in the like Manner for all Blacks w^{ch} shall be bought would Effectually answer the Severall appropriations and the Ends desired. I am

Y^r Lordst^o most Obed^t Hum^l Serv^t
William Chapman

March 26. 1780



B P R O. South Carolina B. I. Vol 11. 1777

(1st April 1756)

Copy of Sir Nathaniel Johnsons Patent for two Baronies
& the Dignity of a Cassique in Carolina April 1st 1756.

Gulielmus Comes Cravenius, Palatinus Carolinae,
Reliquaeque ejusdem Provinciae Proprietores, Salutem. Cum
Serenissimus noster Carolus Secundus Magnae Brit. Franciae
et Hiberniae Rex, fidei defensor, &c. ex speciali suo
favore Dedit et concessit nobis, una cum Provincia
Carolinae, Potestatem Status Gradus, Titulorum, Digni-
tatum et Honorum ibidem constituendi & erigendi,
virosque bene meritos ad eosdem Gradus eveherendi atque
Titulus cohonestandi ornandique cumque Regiminis &
formam a nobis stabilitam et in perpetuum a Nobis
et Successoribus nostris observandam constitutum sit,
ut certus sit Landgravorum Cassignonum munus qui
sint perpetui et hereditarii nobiles proceresque Provinciae
nostrae Carolinae cumque Eximus Vir Nathaniel John-
son Miles magna sua prudentia & industria Magna
erit adjuvante virum de nobis tam bene meritum
remunerare volentes, Cassique Constituimus. Scias
igitur Quod nos ut Monumentum aeternum gratiae
nostrae et illius Meritorum dictum Nathanielum
Johnson ad Statum, Gradum Stelum Dignitatem
titulum

titulum & Honorem bassique creavimus, praecessimus,
 et creavimus; Ipsumq; Nathaniel Johnson bassique
 tenore praesentium eregimus praefecimus et creamus
 eidem Nathaniel Johnson nomen, Statum, gradum,
 Stylum, dignitatem et honorem bassique cum duabus
 Baronis, quarum singula contineat duodecim mille
 Acres terrae cum omnibus Privilegiis eidem Dignitati
 pertinentibus et in aeternum annexis imposuimus &
 dedimus & praebuimus et per praesentes pro nobis,
 haeredibus et Successoribus nostris, Damus imponimus
 et praebemus; Habendum et Tenendum eadem nomen,
 Statum, gradum, Stylum dignitatem titulum et
 Honorum bassique una cum Baronis annexis sin-
 gulisq; juribus praeminentis, privilegiis et immunita-
 tibus eidem dignitati pertinentibus, praefato Nathi
 Johnson & Haeredibus suis, Secundum tenorem Funda-
 mentalium nostrarum Constitutionum in perpetuum.
 Volentes ac per praesentes concedent^r pro nobis,
 Haeredibus et Successoribus nostris quod praedictus
 Nathaniel Johnson et Haeredes sui praedicti, nomen
 Statum gradum Stylum, dignitatem, titulum et Honorem
 bassique Successive gerant et habeant, Baroniasq;
 annexas possideant, et eorum quilibet gerat, habeat
 et possideat, et per nomen bassique in omnibus
 vocentur

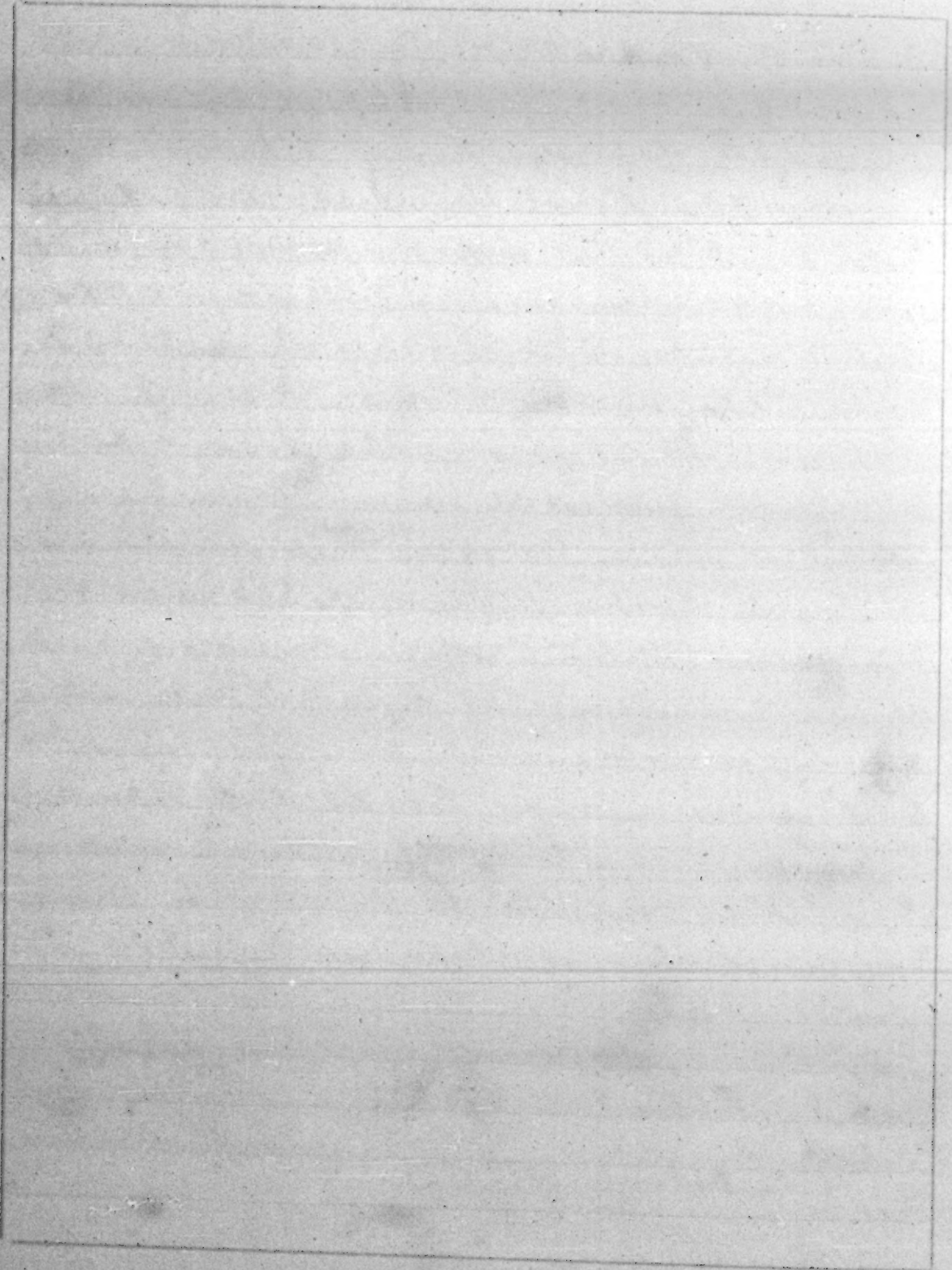
vocentur et nuncupentur et eorum tractentur et
reputentur, et eorum quilibet teneatur, tractetur
et reputetur, habeantq; teneant & possideant, et
eorum quilibet habeat teneat et possident prae-
dicta duo Baronica in perpetuum annexa, solventes
pro qualibet Aera denarium unum legalis Monetae
Angliae annuatim nobis et Haereditibus nostris. Quae
solutis inscribenda est sub finem Bunnii ejus illius
occupatione, nec non dictus Nath. Johnson et Haeredes
sui praedicti gaudeant et utantur, et eorum quilibet
gaudeat et utatur per nomen Cassique omnibus
et singulis Juribus privilegiis praeceminentis &
immunitatibus Statutis Cassique in omnibus rite et
de jure pertinentibus; In hujus rei Testimonium
has Litteras nostras sub magno Sigillo nostrae
Carolinae fieri fecimus Patentes. Datum per Mannus
nostras primo die Aprilis Anno Domini 1686 Annoq;
Regni Domini nostri Jacobi Secundi Dei gratia
Angliae Franciae et Hiberniae Regis Fidei De-
fens. & Secundo

Signat^r Albemarle John Archdale
Craven Palatine P. Colleton Tho Amy

Recd }
Read } March 11th 1729/30



Recd from Col Johnson



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B. P. R. O. A. & H. S. Vol. 621

Whitehall April 15th 1730

My Lord

27 Feb. 1729/30
Having received an Address from the President and Council of South Carolina to His Majesty, upon his having purchased the Province; We take leave to inclose the same to your Grace, that it may be laid before His Majesty

We are

My Lord

Your Graces

Most Obedient and most
humble Servants

Westmoreland

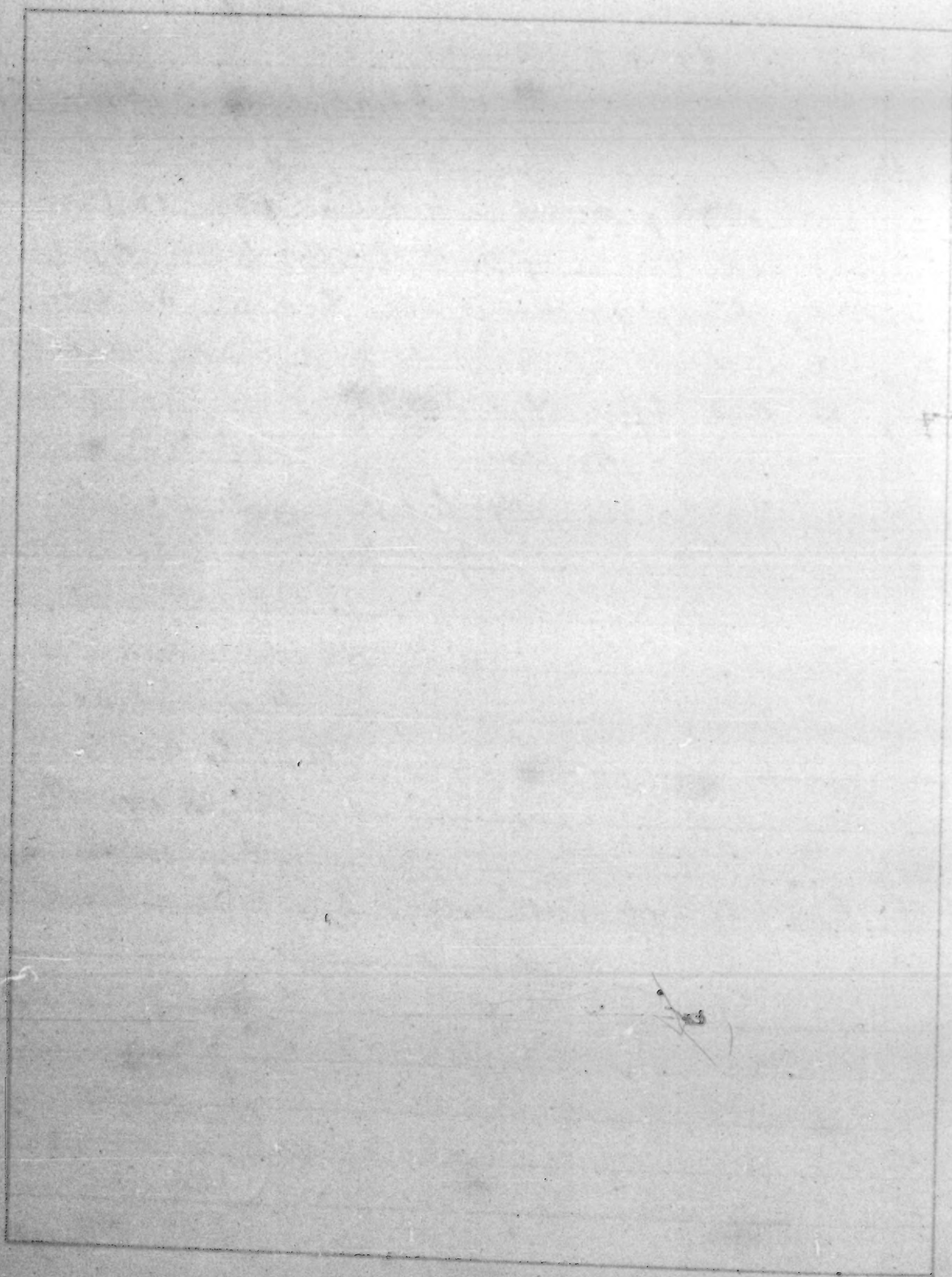
J. Pelham

Oct. Bridgeman

M. Bladen

The Frankland

His Grace the Duke of Newcastle



B I A O South Carolina B I Vol 6 652

(9th February 1729/30)

To the Kings Most Excell^t Maj^{ty}

The humble Address of the President & Council of Your
Maj^{ty}s Province of South Carolina.

We your Majesty most Dutifull and Loyal Subjects
being truly sensible of the benefits We receive by Your
Majesty great Goodness in Purchasing the Soyl of this
Colony Begg Leave to Address your sacred Person with
our utmost Acknowledgements and Thanks for the
Accomplishment of that Blessing which has been so
long wished for, and desired

As We now have the Happiness to be wholly
under your Majesty care & Protection, so tis our great-
est satisfaction that all your Majesty good Subjects
(the never so remote) do no less partake of your Ma-
jesty's Royal Favours.

We therefore most humbly begg Leave to assure
your most sacred Majesty of our being most firmly
& sincerely Attached to your Royal Person & your most
Illustrious House, That whilst We have the Honour
to serve Your Majesty We shall always endeavour
to support & maintain your Royal Prerogative in this
your Maj^{ty}s Colony to the utmost hazard of our
Persons

Persons and Estates, And that We shall never be wanting in our Duty or our Loyalty to your most sacred Majesty, even in our private as well as Publick Stations.

May your Majesty, together with your Royal Consort, be evermore the Delight & Glory of all your People, May all your Majesty's Good Subjects reap the Fruit of your Majesty's wise Councils & Glorious Administration, And that all these Blessings may be continued down to Us in the Constant and uninterrupted Succession of your Majesty's most Illustrious Family are the Prayers of.

May it Please Your Majesty your
Majesty's Most Dutifull Subjects & Servants

A. Shene

A. Middleton P.

B. Schenckingh

Mr. Izard

Benj^r De la consilliere

W. Bell

Chas. Hart

Jra. Yonge

Charles Town Council

Chamber 9th Feb^r 1729/30

This is a copy - The original inclosed in the letter of the Lords of Trade of 15 April 1730 is in Am & N. Ind. No. 621.

B. P. R.O. South Carolina B. I. Vol. II 1853.

To the Right Honourable the Lords Commissioners
for Trade and Plantations

The humble Memorial of Thomas Lowndes
Sheweth

That about two or three Years ago there
passed in South Carolina an Act declaring all Pro-
cess to be void, that was not personally served
upon the Party, by the Sheriff Marshall or his
Deputy, which Act makes the Execution of Common
Justice, not only difficult but impracticable; and
is very prejudicial to the Commerce of Great Britain.
For no Merchant will now furnish any commodity
to a Planter, that lives at any Distance from
Charles Town because he cannot be compelled to be
just, and the Planter is thereby forced to go upon
such Manufactures, as interfere with those of Great
Britain

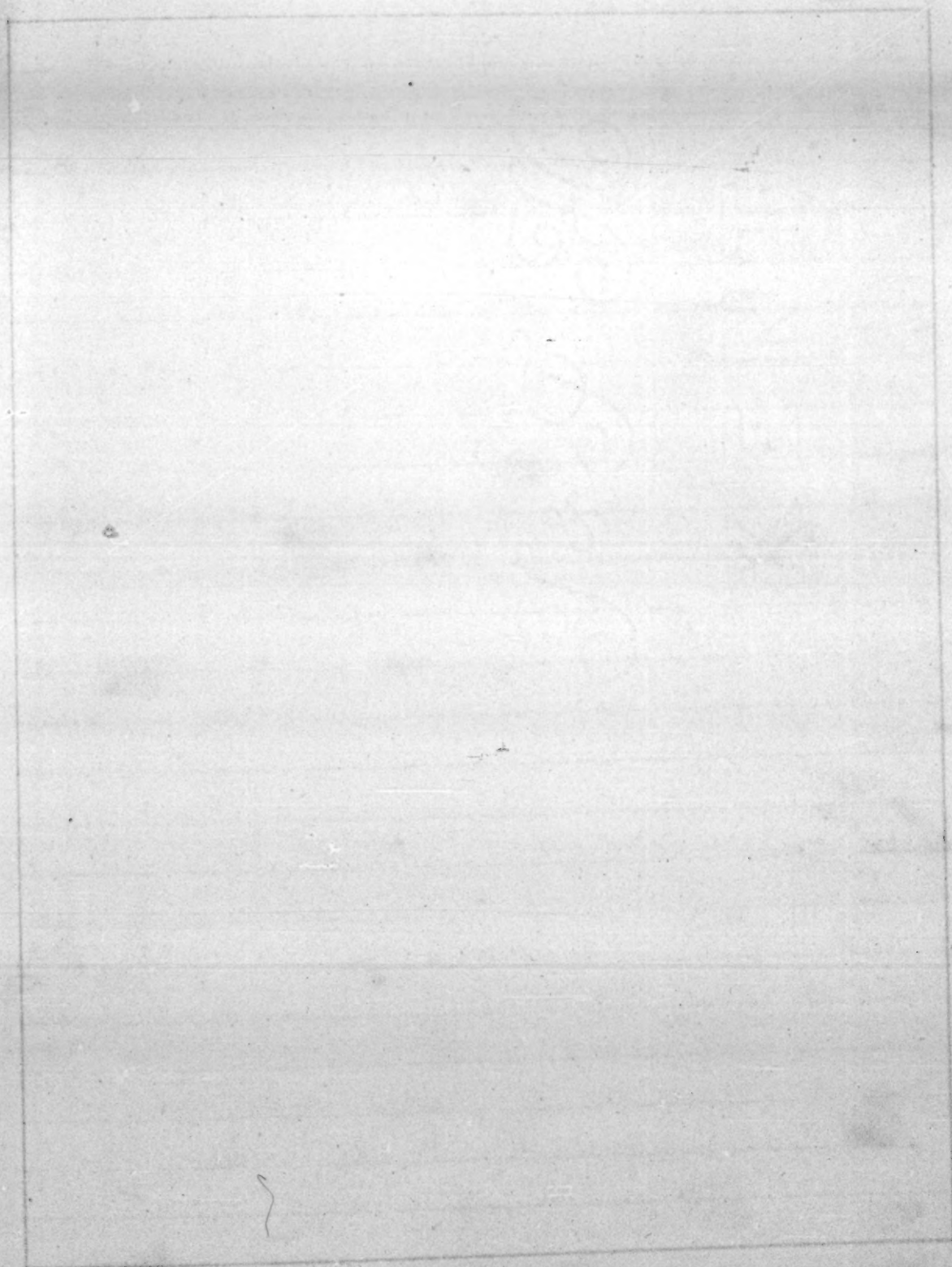
That this Evil will be of very bad conse-
quence if not speedily redressed, either by reautho-
rizing the Summons, Act, or by some other Method
as your Lordships shall think proper.

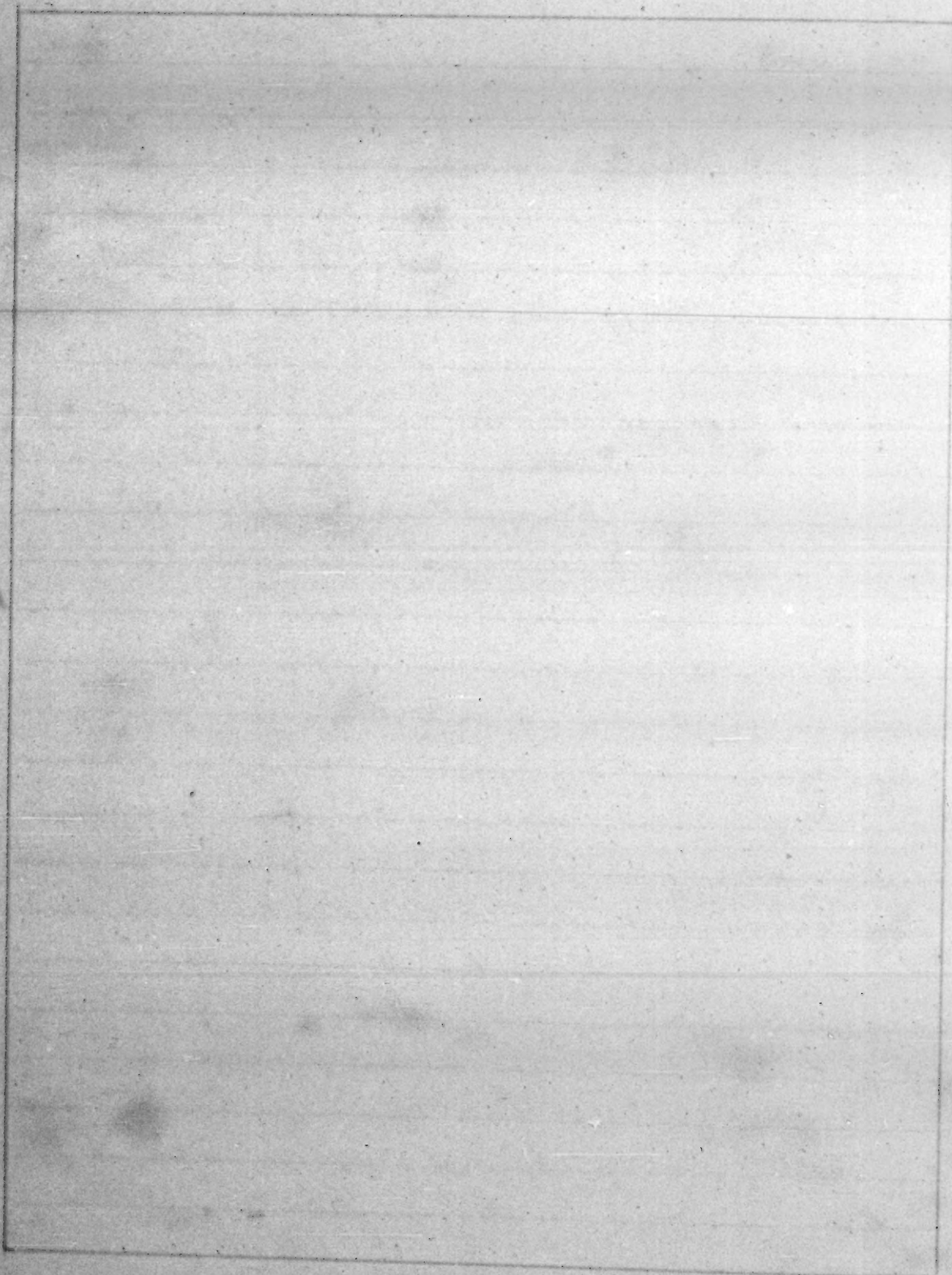
Your Memorialist also begs leave to observe
That

That there wants in South Carolina a suitable Public Provision for indigent Criminals, it being equally inhuman that those poor Wretches should perish through want of common Sustenance, as it is unreasonable that the Provost Marshall or his Deputy should subsist them at his own proper Charge.

All which is most humbly submitted
to your Lordships great Judgement and
Wisdom

Read April 17th {
Read 20 21. } 1730





B. P. R. O. A. & H. I. Vol 621

April the 25th 1730

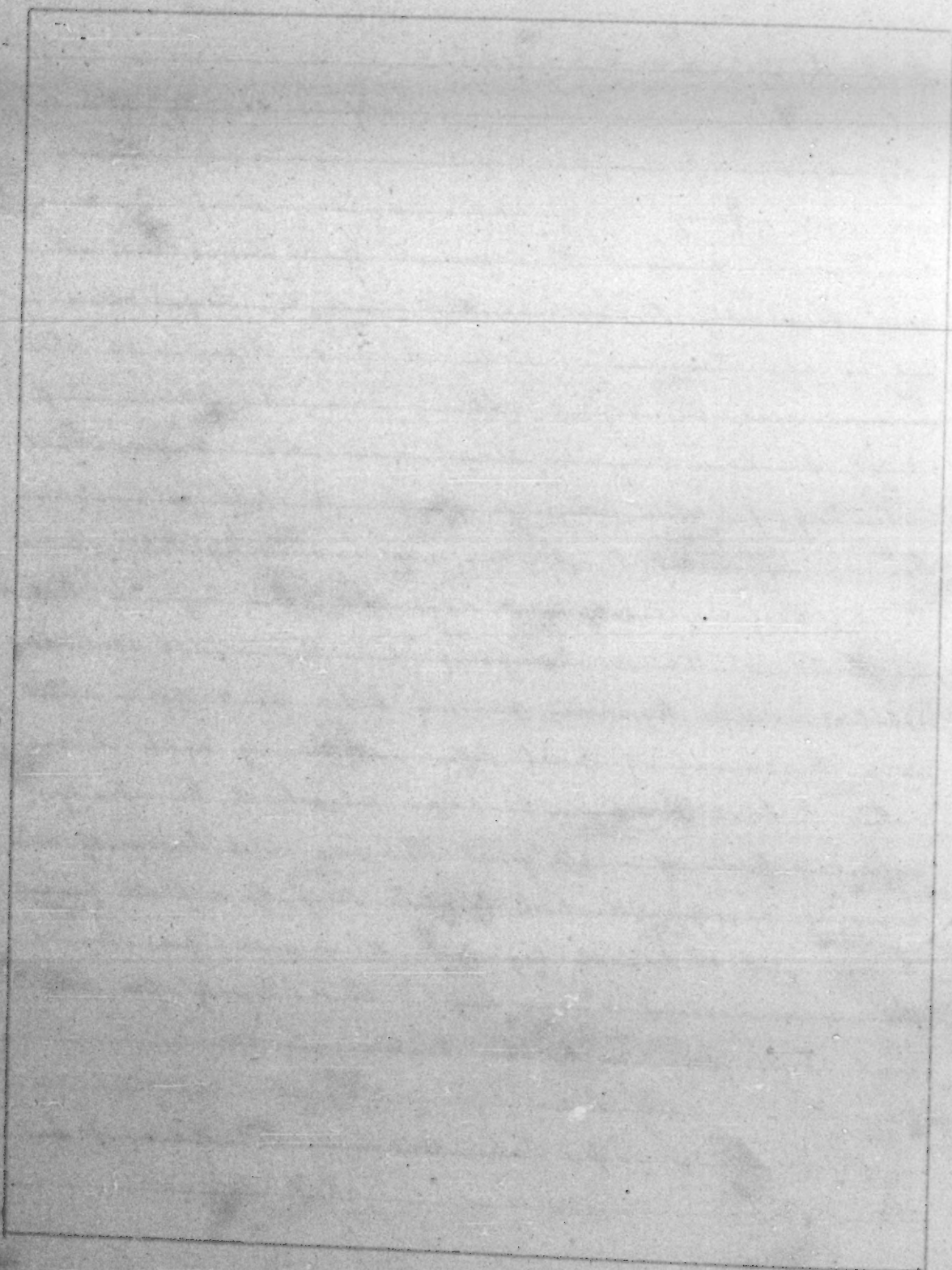
My Lord

Being lately appointed Governor of South Carolina I presume to acquaint Your Grace that it may frequently happen that I shall be obliged to go out of the Province in Order to make Peace with the Indians and to Adjust Affairs with the Governors of North Carolina Virginia Maryland &c. This may make it necessary for his Majestys Service to have a Lieutenant Governor appointed to Act in my absence in like manner as hath been lately appointed for New England And as Colonel Thomas Broughton (who has one of the best Estates in the Province) formerly held that Office, and is a Gentleman of Great Experience having held divers other Publick Employments there in which he always acquitted himself with great Honour and Integrity, and being Zealously Attached to His Majesty and the present Government, I humbly beg leave to request Your Grace's Favour in recommending him to His Majesty for the said Post. I am with the Greatest Duty

My Lord

Your Grace's Most Obedient and Most Humble Servt

Robt Johnson



B. P. R. O. South Carolina B. I. Vol. 11 - 1755.

(30 April 1755)

Explanation of my Scheme given the Lords of
Trade for settling Townships.

My Design in selling out Seven Townships
upon the Severall Rivers mentioned in my Proposall is
to Secure convenient Settlements of good Land for the
encouragement of poor People to come and settle upon,
in Carolina. And to prevent those who have large
Grants for Lands subsisting; from ingrossing the Lands
in such convenient Places.

For these Purposes I propose that 20000 Acres
be laid out in a Square form, and in the middle
of the said Square a little Town of 200 Lots not
exceeding a Tenth part of a Acre to each Lot,
which Town and a Common thereunto belonging will
take up about 350 Acres. I propose that the re-
maining 19650 Acres be divided into two Hundred
Parcels, which shall belong to the Inhabitants of the
said Town, None to have less than Seventy five Acres,
and none more than One Hundred Acres, those who
come first and have their Lot nearest the Town
to have Seventy five Acres, and so Increasing to one
Hundred Acres to those that are farthest of the
Town

Town, Poor People thus Encouraged to Settle in Townships would be a great Security to the Province and themselves by making a small Fortification about them, against the Insults of the Indians. I propose fifty Lots in Every Town more than Parcels of Land within the Privilege of the Townships, for Tradesmen to build on; or for Markets, School house, and Churches.

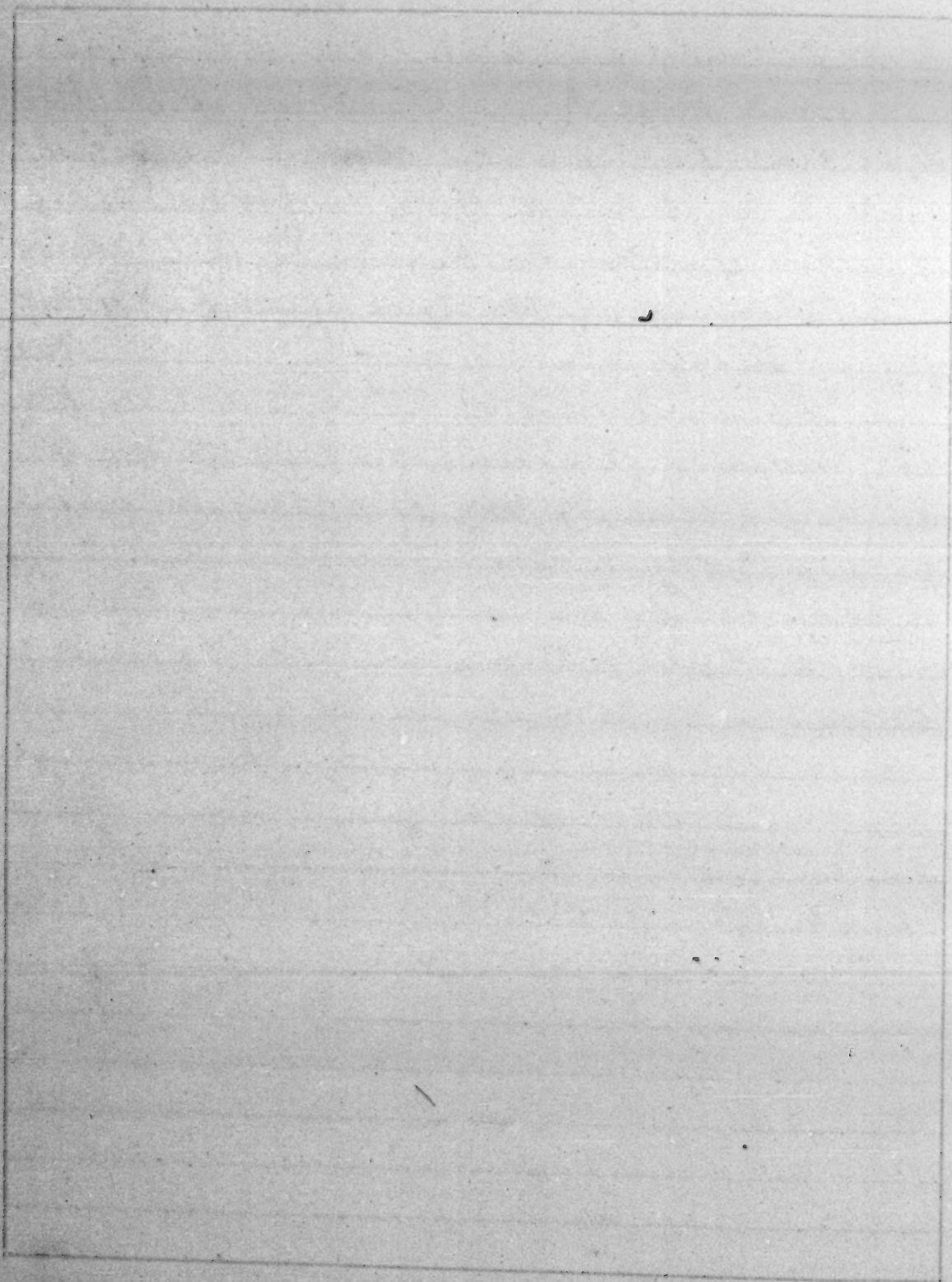
In the third paragraph of my Proposall I propose that no Person hereafter be allowed to take up more than Six Hundred and forty Acres. I mean out of the Limits of Townships, but upon second thoughts, I think that a Discretionary Power ought to be given to the Governor and Council to Grant a larger limited Quantity of Lands, proportionable to the Quantity of Slaves they shall be satisfied the Person desiring Lands are Possess'd of and design to Employ, otherwise it may be a great discouragement to the Making of Pitch and Tar for large Quantities of Land is required to Produce that Commodity, I think not less than One Thousand Acres to Twenty Negroes can be allowed, for which Reason for the Encouragement of Producing large Quantities of that Commodity; in my second Letter to Mr. Popple to be Communicated to Your Lordships

Lordships I did propose to give Liberty (under proper restrictions) to all Persons, to make use of the Dead Light wood Trees upon His Majestys Lands, which would be no Detriment to the said Lands, which if allowed of, then Six Hundred and Forty Acres or a Thousand at the most would be sufficient for one Family

I do apprehend if this Provision be made for the settling of the Townships it will not be advisable to oblige every body to settle in Townships, for people of good Circumstances wont care to be so restrained. And consequently would be a Discouragement to People of Fortune coming to settle in Carolina

Rob^t Johnson

Recd }
Read } April 30: 1730



B P R O A 4 W 3 Vol 621

2 April 1733

To the Queen's most Excellent Majesty

The humble Memorial of Robert Johnson
Esq: Captain General, and Commander in
Chief of the Province of South Carolina.

Humbly Sheweth

That by the Commission granted to
General Nicholson, constituting him Governor of the said
Province of South Carolina, It was directed, that upon his
Death, or absence the Lieutenant Governor, or President of
the Council should take upon him, the Administration
of the Government; In which case, it was provided by
the Instructions given to the said General Nicholson, that
such Lieutenant Governor, or president should be en-
titled to one moiety of the Salary, & perquisites, which
would otherwise have become due to the said General
Nicholson.

That upon the said General Nicholson's
coming over from the said Province (no Lieutenant Gov-
ernour being appointed) the President of the Council, &
Arthur Middleton Esq: took upon him the Administra-
tion, and continued to carry on the same to the death
of the said General Nicholson, and from thence to the
time

time of your Memorialists Arrival in that Province.

That although, it is Evident that the said President cannot be entitled to more than a moiety of the Governour's Salary and perquisites yet from the Death of the said General Nicholson to the Date of your Memorialists Commission, He hath received the whole of the Perquisites arising within that Government & keeps the same to his own use, refusing to account for a moiety thereof.

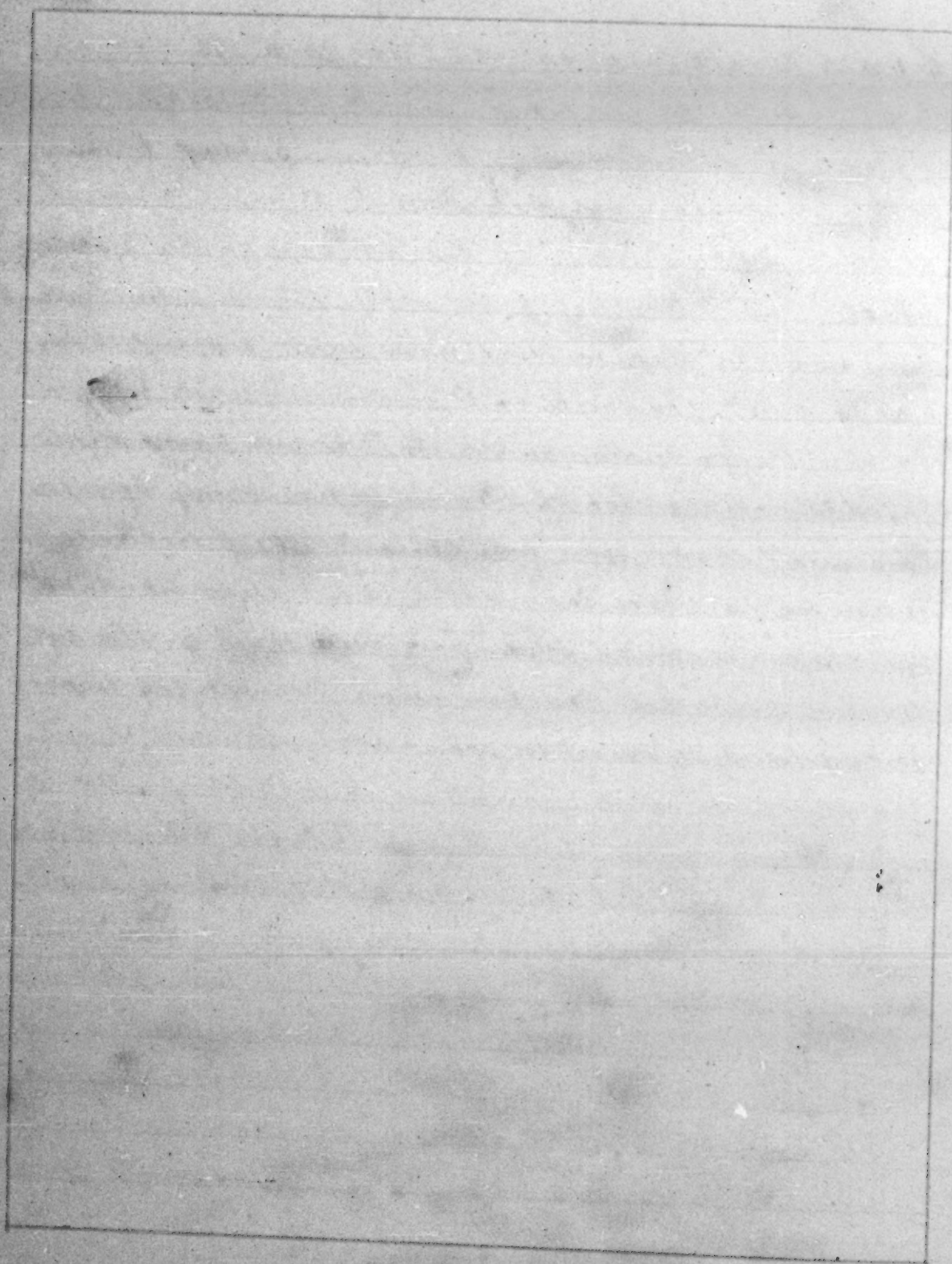
Your Memorialist therefore begs leave humbly to represent to Your Majesty that as one moiety of the Governour's Salary and Perquisites has been always deem'd a sufficient Support for a Lieutenant Governour, or President of the Council, in all his Majesty's Plantations, when the Administration has devolv'd on either of them; And as your Memorialist has been at great charge and expence for almost a whole year after his Commission was past in attending the Committees of Council & Board of Trade, upon adjusting the affairs of that Province, and in settling a Treaty of Friendship between us, and the Cherokee Indians, some of whom were at that time in England, and whom he was order'd to wait for, in order to carry them over with him, during which time the said President was
entitled

entitled to a moiety of your Memorialists Salary & Profits. And also in regard your Memorialist hath been deprived of the command of the independant Company there, which was enjoyd by his Predecessor & made an addition to his Salary of ten Shillings a day, and which the Governours of all other his Majestys Plantations, where there are any independant Companies always have had.

Your Memorialist humbly hopes your Majesty will not think him undeserving of a moiety of the Perquisites, that arose from the Death of his Predecessor General Nicholson, which are now in the hands of the said President.

And therefore prays your Majesty will be graciously pleased to grant him a power to receive the same in such manner as hath been granted to other Governours in like cases.

And your Memorialist shall ever pray &c



95
B. P. R. W. South Carolina. (B.T.) Vol 25. p. 246.

Whitchall

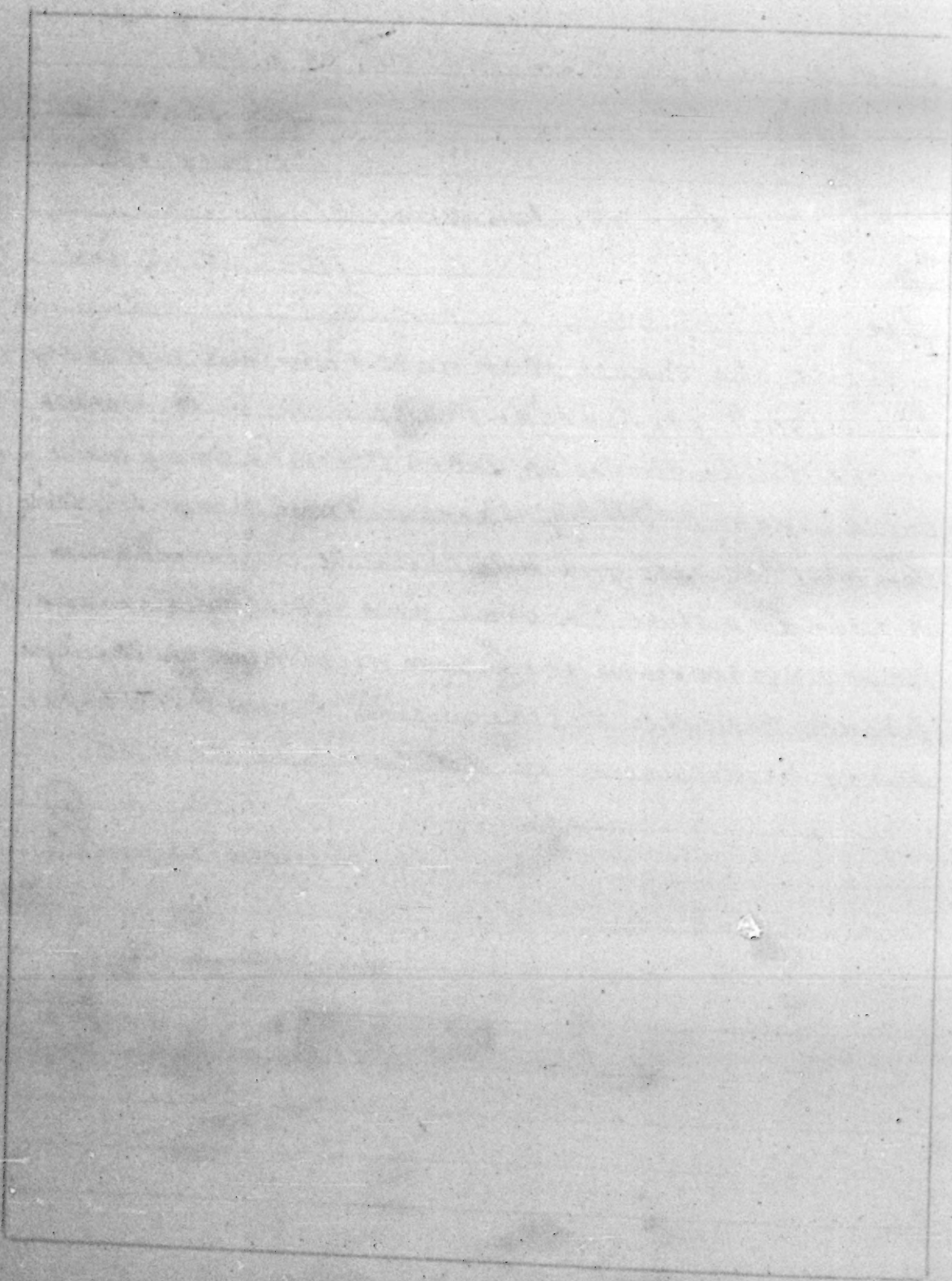
5 May 1730.

To Col. Johnson.

Sir,

All the Papers that have been laid before my Lords Com^{rs} for Trade & Plantations, with respect to the Paper Money of South Carolina being calculated upon the Foot of Proclamation Money, my Lords Commis^{rs} desire you will consult the Merchants Trading to that Province and let their Lordships have an Account from you and them of the difference between Proclamation Money & the Paper Money now current in So: Carolina, I am, &c.

Alured Popple.



B. P. R. O. A. & W. S. vol 621

(8th May 1730)

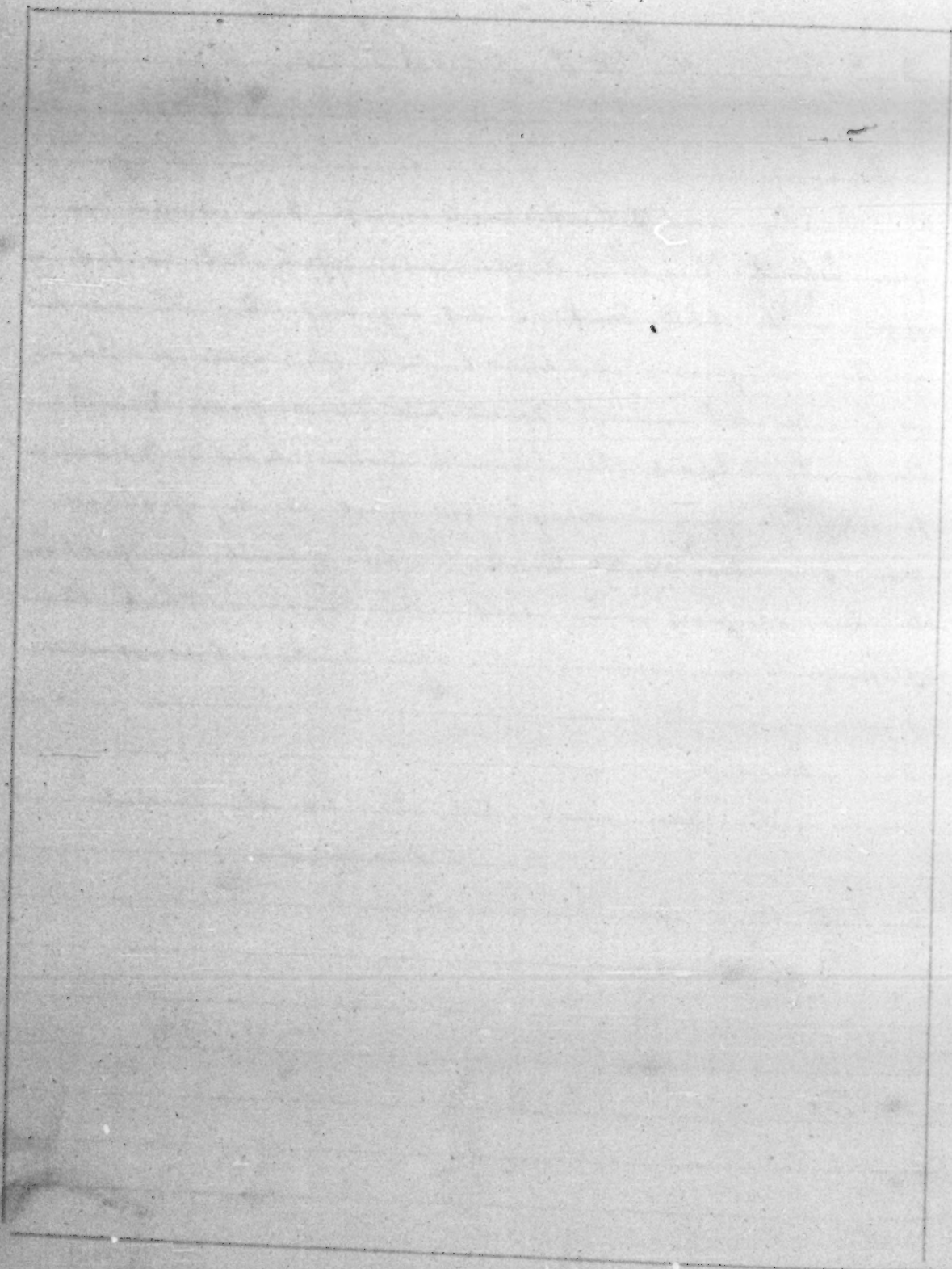
Sir

My Lord Sutherland would have waited on You about Captain Sutherlands affair but is led up with the Gout. I did my self the Honour to waite on you at Chelsea but you was in Town and also at your Office but was gone to the Duke of Newcastle. I would take it as a particular favour if you would be so good as to forward his business Coll Karkart did present his petition to his Majesty who told the Captain that his Majesty had given it to the Duke of Newcastle I am

Sir

Your most Obedient & humble Servant
Strathmore

London May 8th 1730



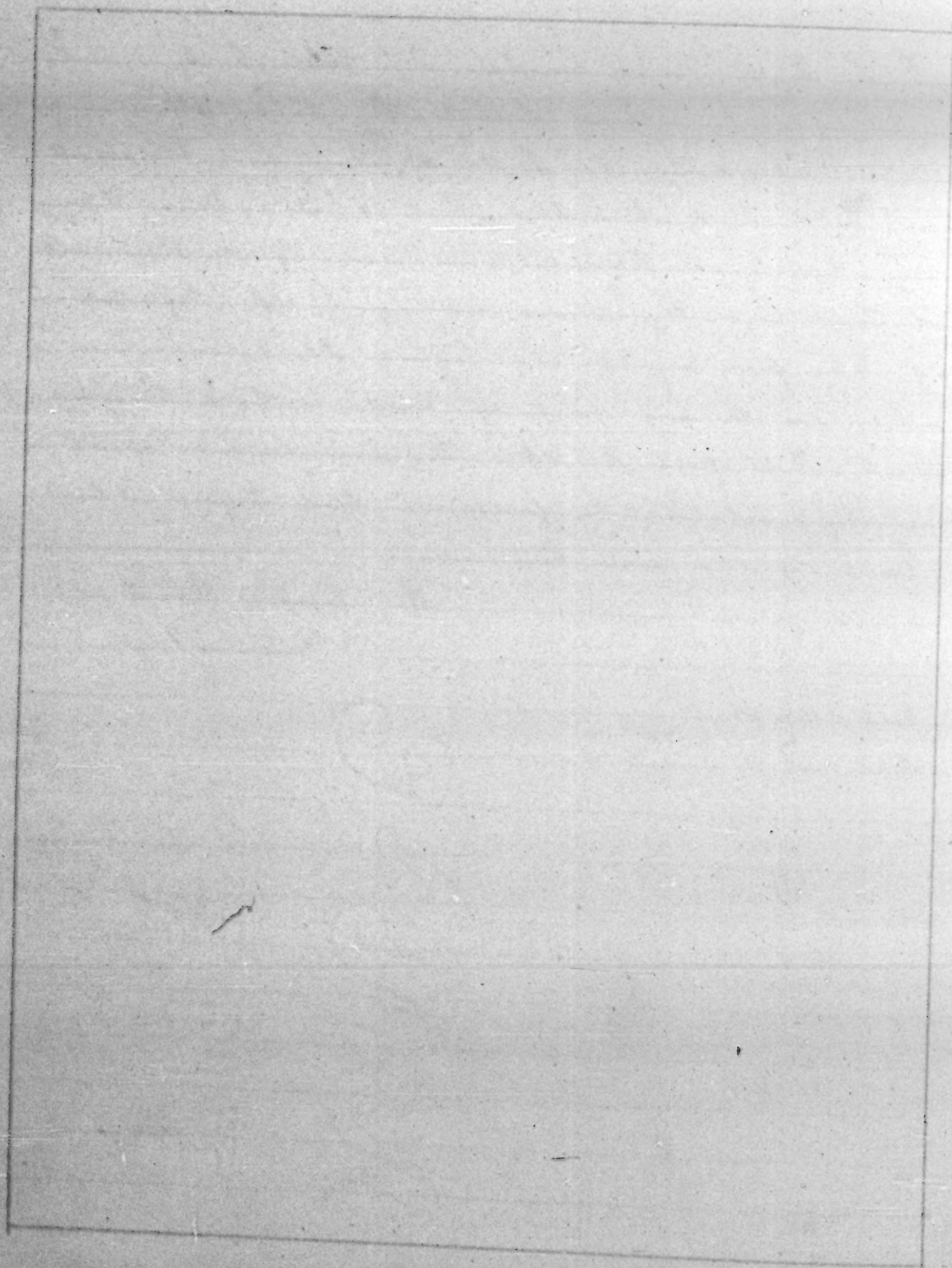
B. P. R. O. South Carolina B.T. Vol. 11 p. 86.

Die Sabbati 9^o Maii 1730

Ordered by the Lords Spiritual and Temporal
in Parliament Assembled, That if there have been
any Reports or Representations made by the Commissioners
of Trade and Plantations relating to the Exportation
of Rice from any of the English Plantations in
America to any part of Europe without bringing
such Rice first to this Kingdom such Reports
or Representations be forthwith laid before this
House by the said Commissioners

W^m Cooper Clerk
Parliamentary

Read May 9th }
Read 10th } 1730



B. P. R. O. Ar. H. I. Vol 621

(14th May 1780)

Sir

I had waited upon the Duke, but the
Scurvy has prevented me, so I have written a letter to
his Grace, with Capt Sutherland, with I entreat of you
to Second, and obtain for the Capt the Kings
Commission, for Johnsons Fort, who is Proprietor
of Carolina, your favour and friendship in this
will add to the many obligations owing you by

Dear Sir

Your most faithful humble Servant
Sutherland

Cheloca 14th May 1780

B. P. R. O. A. & W. I. Vol 621

(14th May 1730)

My Lord

I was to wait upon your Grace to present my kinsman Capt Sutherland to your Grace with his petition complaining of the injustice he mett with in being turned out of Johnsons fort wher he commanded many years, with the applause of merchants and Inhabitants, for the service of the King & country most unjustly and a person employed entirely ignorant of military affairs, the Petition with the coppers of the certificates are in Mr Delafayes hands so I hope upon an equall and fair representation to his Majesty who is now Sole proprietor of Carolina your Grace will be see good as to gett him his Comission for the post, which will much oblige

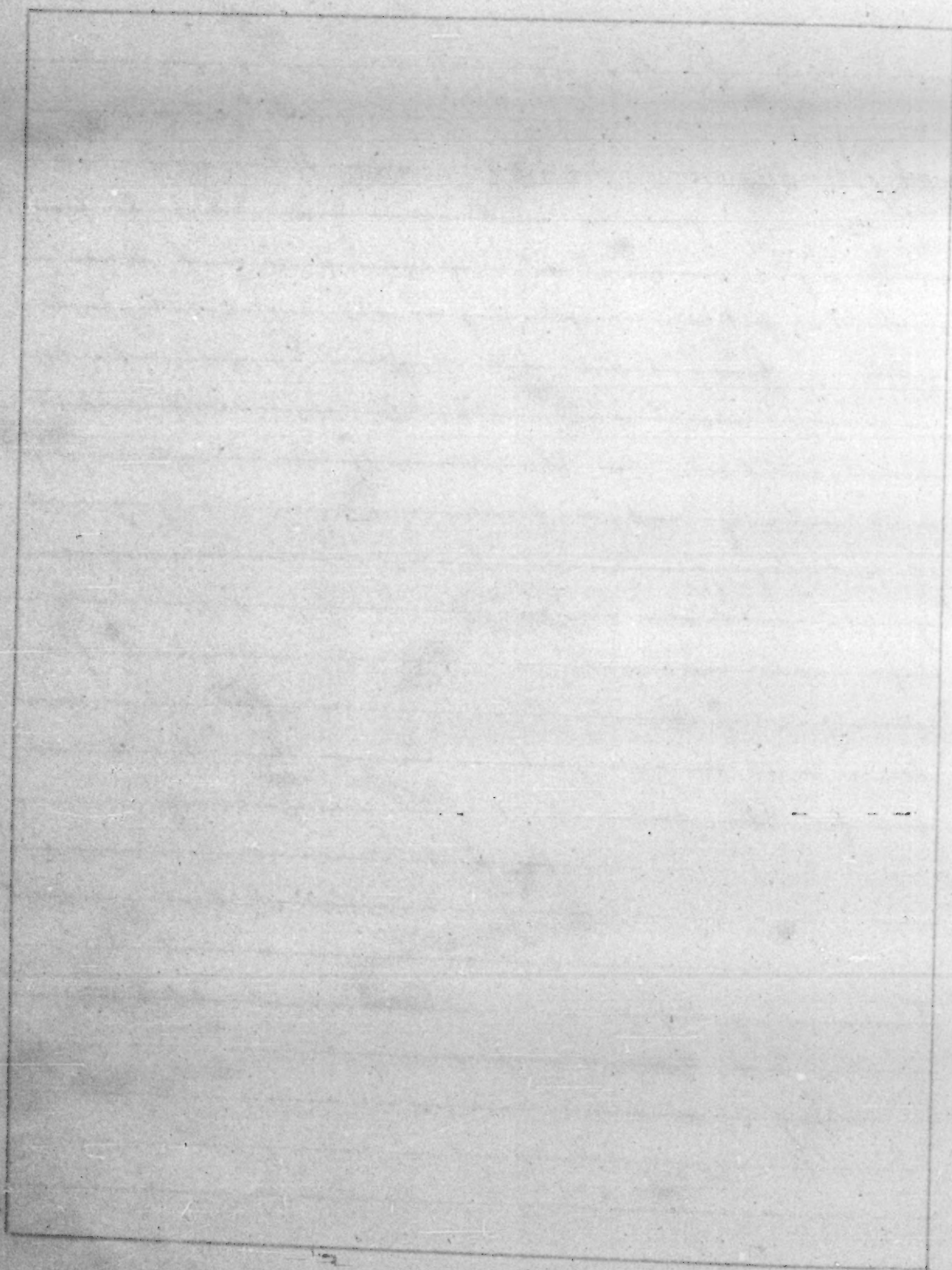
My Lord

your Gr^{ty} most Obedient and
most humble servant

Chelova 14th of May 1730

Sutherland

The Gr^{ty} hinders in person
to pay my respects



D. I. A. C. South Carolina B. T. Vol 4 687

(10th May 1730)

At the Councill Chamber Whitehall the
10th day of May 1730.

By a Committee of the Lords of His
Majestys most Honourable Privy Councill

Whereas His Majesty was pleased to refer unto
this Committee, the humble Petition of John Lord
Cartenet, Setting forth his Right to one full Eighth
undivided part of the Province of Carolina, And
also of the Arrears of Quitt Rents &c And humbly
praying that his Eighth part of the Soil may be
Set out and Allotted to him in Such Parts of
the said Province, as shall be agreed upon be-
tween such persons as His Majesty shall be pleased
to Appoint for His Majesty, and such persons as
the Petitioner shall Name on his Part, to hold
the same for ever in Severalty to him and his
Heirs together with all the same Royalties Powers
Libertys and Priviledges (the Government of the said
Province only Excepted) as far as concerns such
Eighth Part to be so Allotted to him, as he is
Entitled unto under the Letters Patents of King
Charles the Second, And the Act of Parliament
lately

lately past for Establishing an Agreement with Seven of the Lords Proprietors of Carolina for Surrendering their Title and Interest therein to His Majesty, in case such Division or Allotment was not or should not be made, and under the like Quitt Rents as are mentioned in the said Letters Patents according to His Proportion or eighth Part thereof. And thereupon the Petitioner Humbly Offers and Proposes to Surrender to His Majesty His Heirs and Successors his Share and Interest in the Government of the said Province, And to convey release and confirm to His Majesty His Heirs and Successors the other Seven parts of the said Province The Lords of the Committee this day took the said Petition into Consideration, and are hereby pleased to Order, that a Copy thereof (which is hereto annexed) Be referred to the Lords Commissioners for Trade and Plantations Who are to consider the same, and Report their Opinion thereupon to this Committee

Temple Stanyan.

To the Kings most Excellent Majesty in
Councill

The humble Petition of John Lord Carteret
Sheweth

That his late Majesty King Charles the
Second by his Letters Patents under the Great Seal
of England bearing date at Westminster in the 15th
Year of his Reign did Grant and Confer unto
Edward then Earl of Clarendon, George then Duke
of Albemarle, Will^m then Lord Craven, John then
Lord Berkely, Anthony then Lord Ashley Sir George
Carteret Knt & Bart Sir William Berkely and Sir John
Colleton Knts and Barts (all since deceased) their Heirs
and Assignes all that Territory or Tract of Ground
situate lying and being within his said late
Majestys Dominions in America Extending from the
North End of Lucke Island in the Southern Virginia
Seas, and within 36 Degrees of Northern Latitude
and to the West as far as the South Seas, and
so Southerly as far as the River Mathias which
bordereth on the Coast of Florida, and within 31
Degrees of Northern Latitude, and to the West in a Direct
Line as far as the South Seas aforesaid together
with all and singular Ports, Harbours, Bays, Rivers, Isles
y

& Islets belonging unto the Country aforesd, with the Fishings of all Sorts of Fish Whales Sturgeons and other Royal Fishes in the Sea Bays, Islets & Rivers within the p^mises, and the Fish therein taken, And Moreover all Beins Mines Quarries as well Discovered as not Discovered of Gold Silver Gems and Precious Stones, and all other Whatsoever whether of Stones Metals or any other thing whatsoever found or to be found within the Country Isles or Limits aforesaid, And also the Patronage and Advowson of of all Churches and Chappels within the Country and Limits aforesd with all and singular the like and as ample Rights Jurisdictions Priviledges Pre-rogatives Royalties Liberties Immunities and Franchises of what kind soever within the Country Isles Islets and Limits aforesd To have hold Exercise and Enjoy in as ample manner as any B^t of Durham in England.

And his said late Majty did thereby for himself His Heirs & Successors make create and Constitute the said Edw^d Earl of Clarendon, George Duke of Albemarle, W^m Lord Craven, John Lord Berkeley, Anthony Lord Ashley, S^r George Carteret, S^r W^m Barkley and S^r John Colleton, their Heirs and Assigns

Assigns the true and Absolute Lords & Proprietors of the Country aforesaid and of all other the Premises. To have hold Possess and Enjoy the same to them their Heirs & Assigns for ever. To be holden of His said late Majesty His Heirs and Successors as of his Mannor of East Greenwich in Kent in free and common Socage.

That his ^{sd} late M^{ty} King Charles the 2^d by other Letters Patent under the Great Seal of England bearing date the 30th day of June in the 17th Year of his Reign reciting the said former Letters Patent Did Grant unto the ^{sd} Edw^d Earl of Clarendon, George Duke of Albemarle W^m Lord Craven (then Earl of Craven) John Lord Berkley & Anthony Lord Ashley, S^r George Carteret S^r John Colleton, & S^r Will^m Berkley their Heirs and Assigns All that Province Territory or Tract of Ground Situate lying and being within His Majesty's Dominions of America Extending North and Eastward as far as the North End of Canastota River or Gullet upon a Strait Westerly line to Wyonake Creek which lies within or about the Degrees of 36 & 30 Minutes Northern Latitude, and so West in a Direct line as far as the South Seas and South & Westward as far
as

as the Degrees of 29 inclusive Northern Latitude, and so West in a Direct line as far as the South Seas together with all and Singular Ports Harbours Bays Rivers and Islets belonging unto the Province or Territory aforesaid, and also all the Soil Lands Fields Woods farms Lakes Rivers Bays & Islets within the Bounds or Limits last before mentioned, With the like Grants of Fishing Veins Mines & Quarries and of the Patronage and Advowson of all Churches and Chappels within the Province & Limits aforesaid with all the same Rights Jurisdictions Priviledges Prerogatives Royalties Liberties Immunities and Franchises as in the preceding Charter - To have hold use Exercise and Enjoy the same in as full & ample manner as any Bishop of Durham in England.

And his sd late Maj^{ty} did thereby for himself his Heirs & Successors make create and constitute the sd Edward Earl of Clarendon, George Duke of Albemarle K^{ts} Lord Craven, John Lord Berkley, Anthony Lord Ashley S^r George Carteret S^r H. Berkley & S^r John Colleton their Heirs and Assigns the true and absolute Lords and Proprietors of the said Province or Territories and of all other the p^rmisses To have hold Possess and Enjoy the same to them their Heirs & Assigns for ever

ever, To be holden of his st Maj^{ty} his Heirs and Successors as of his Mannor of East Greenwich aforesaid, in free and common Socage, and both the st Tracts of Land are Erected into a Province by the name of the Province of Carolina.

That the part Share Interest and Estate of the said S^r George Carteret of and in the Province Territorys Islett Hereditam^{ts} & p^{res} in and by the st Severall Letters Patent Granted and Compriged is now Come unto and Beated in Your Pet^r in his own Right, who is Seized in fee of and in one full undivided Eighth part (the whole into Eight Equal parts to be divided) of the Premises in and by the st Severall Letters Patent Granted and Compriged, and Your Pet^r is also Palatine of the st Province

That according to Proposals made to Yo^r Maj^{ty} in Councill by the Persons in whom the Right of the Seven other Proprietors is Beated by an Act of Parliament passed the last Session of Parliam^{ts} Intituled An Act for Establishing an Agreement with Seven of the Lords Proprietors of Carolina for the Surrender of their Title and Interest in that Province to his Maj^{ty} All the st Seven
Undivided

undivided Eighth parts of the ^{sd} Proprietors in the said Province of Carolina, And all & Singular the Royalties Franchises Lands Tenem^t Hereditam^t and ^{Pr}imes and the Powers & Priviledges to w^{ch} they were Entitled in and by the ^{sd} ^{Geo}l^d Letters Patent is Voted and Settled in Trustees In trust for Your Maj^{ty} Your Heirs and Successors on the conditions Provisoes and Exceptions in the ^{sd} Act of Parliam^t contained, and after paym^t of such Sum of Money to the ^{sd} Trustees as in the ^{sd} Act is mentioned, the said Trustees were to convey the same and the absolute Property thereof to Your Maj^{ty} Your Heirs and Successors.

And by the ^{sd} Act Seven Eighth parts of all and every the Arrears of Quit Rents and other Rents Debts Dutys Claims and Demands of the ^{sd} Seven Proprietors in Consideration of five thousand pounds are in like manner assigned or agreed to be Assigned to Your Maj^{ty}.

That in the said Act there is Expressly Savied & Reserved to Your J^{ts} his Heirs Ex^{rs} Adm^{rs} & Assigns All such Estate Right Title Interest property Claim and Demand whatsoever in unto or out of One Eighth part or Share of the ^{sd} Provinces

Provinces or Territories with all and Singular the Rights Members & Appurtenances thereof. And of in and to One Eighth part or Share of Arrears of Quit Rents and other Rents Sum and Sums of Money Debts Dutys Acc^t Reckonings Claims and Demands whatsoever then due and owing to the st Lords Proprietors of the st Provinces and Territories and all such other Rights Titles Priviledges and Powers whatsoever as your Pet^r his Heirs Ex^{rs} or Adm^{rs} then had or might have had or been Entitled unto in case the said Act and the Conveyance therein before directed to be made to Your Maj^{ties} Your Heirs and Successors or either of them had not been or should not be made.

That Your Pet^r is Still Entitled to one full Undivided Eighth part of the said Province and of all the premisses Granted by the said Sev^l Letters Patents and also of all Arrears of Quit Rents and other Dutys Reckonings Claims and Demands.

That Your Pet^r being Entitled as aforesaid doth hereby humbly Petition Your Majesty that his said Eighth part of the Soil of the said Province and Territories

Territorp may be Sell out and Allotted to Your Pet^r
 in such part of the said Provinces & Territorp as
 shall be agreed upon between such Persons as Your
 Maj^{ty} shall be pleased to appoint for Your Maj^{ty}
 and such Persons as Your Pet^r shall name on his
 part. To have hold and Enjoy the same for ever
 hereafter in Severalty to Your Petitioner his Heirs
 and Assigns, together with all and every the same
 Royalties Powers Libertys Franchises and Priviledges
 (the Government thereof and of the s^t Province of
 Carolina only Excepted) as far as Concerns such
 Eighth part to be so Allotted to Your Pet^r as
 your Petitioner is Entitled unto under the s^t Letters
 Patents and Act of Parliament in Case such
 Division or Allotment was not or Should not be
 made, and under the like Quit Rents proportionally
 as is mentioned in the s^t Letters Patents according
 to Your Pet^rs proportion or Eighth part thereof, and
 thereupon Your Pet^r hereby further humbly offers
 and Proposes to Surrender to Your Majesty Your
 Heirs & Successors his Share and Interest of and
 in the Government of the said Province or Territorps
 and to convey Release and confirm to Your Maj^{ty}
 Your Heirs and Successors the other seven parts
 of

of the said Province.

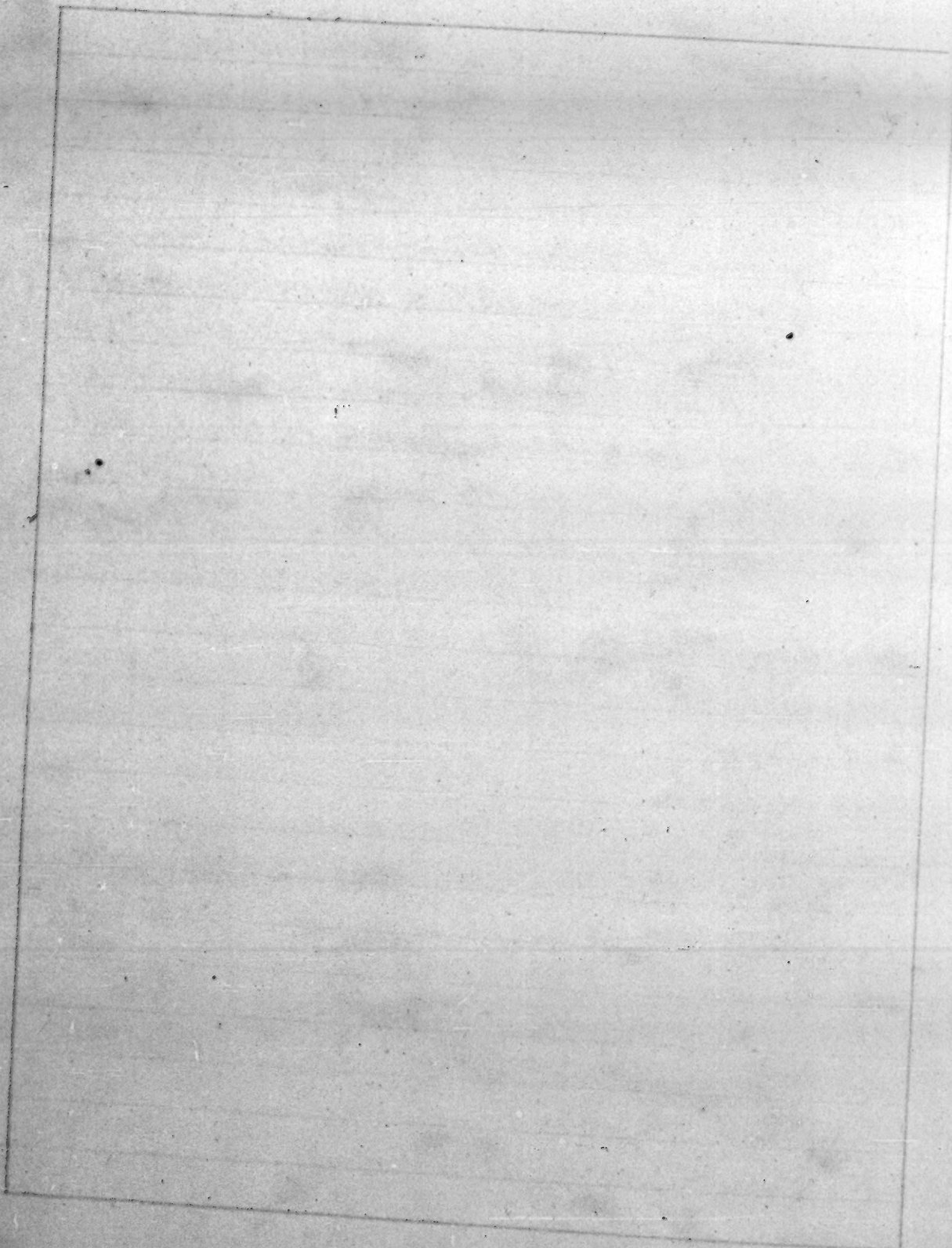
That as Your Pet^r humbly conceives the premises to be for the benefit and Advantage of the Crown.

Your Petitioner humbly Says the same before Your Maj^{ty} and humbly Submits it to Your Majesty's Consideration, hoping Your Majesty will be Graciously pleased to approve and accept thereof, which Your Pet^r most humbly prays of Your Majesty And Your Pet^r (as in Duty bound) shall Ever^m pray &c.

Cartwright

Copy

Read May 19: } 1730
Read D^r 20: }



D. I. R. O. South Carolina B. I. Vol 11 695.

(Enclosure to the Governor 19 May 1730) (20 May 1730)

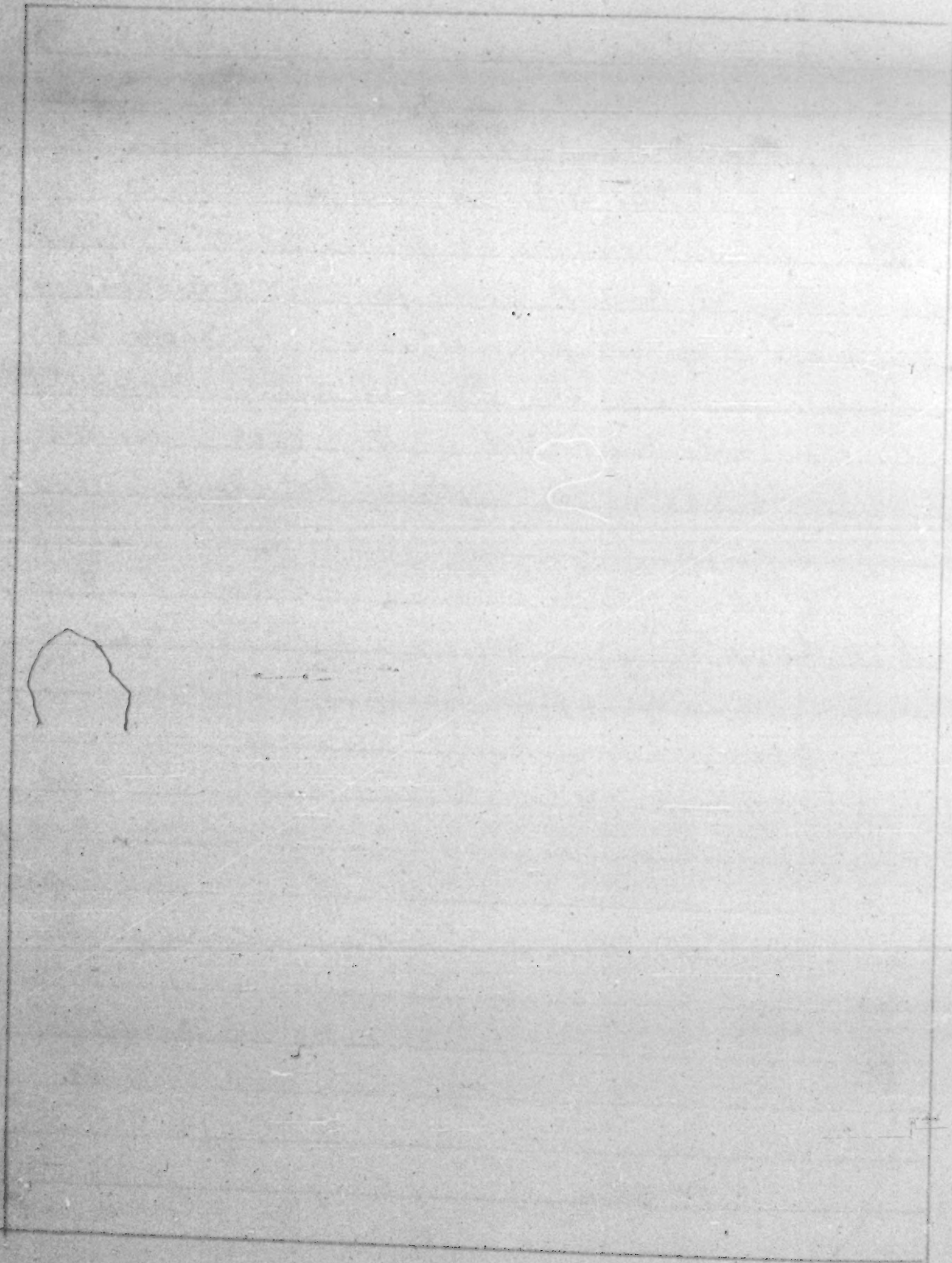
Copy of a Paragraph of Col Bulls Letter to
Thomas Lowndes dated 24 December 1729.

The Marshalls place at present wants Regulations
there being no Provision made for the Subsistance of
Criminals they are now maintained by the Mar-
shalls and since the Disorder in the Governmt
there is not One Writ in five that is executed

Signed Wm Bull

Recd 19th May }
Read June 11th } 1730

A.B. - Copy of a Letter from Wm. Bull to the Governor
previously copied by 693



B.
C.
dij

B. P. N. O. South Carolina B. P. Vol. 11 696

Le Soussigné Jean Pierre Purry de Neufchâtel
 suisse, représente très humblement à Messig^{rs} les
 Commissaires du Commerce & des Plantations, qui ayant
 été autrefois recommandé par le feu Roi, pour obtenir
 des terres dans le Pais de la Caroline, et que sy cette
 entreprise n'eût pas lieu, ce fut uniquement de la faute
 des Seigneurs Propriétaires, qui ne voulurent pas rem-
 plir les conditions du Traité qui fut fait avec eux;
 L'exposant offre encore aujourd'huy, de mener en ce
 Pais là, six cents personnes de Nation Suisse Protes-
 tante, et de les y établir pendant le terme de six
 Années, à compter depuis l'année prochaine, moyen-
 nant qu'il plaise au Roy de luy accorder une Baronie,
 contenant Douze Mille Acres de Terrain, gratis, &
 comme aussy que l'on qu'elle à sa Troupe, la Rente
 de quelques Années, du terrain qu'elle occupera; Espérant
 que sa Majesté voudra bien luy accorder cette faveur,
 nonseulement parce que les Commencemens sont toujours
 difficiles, et qu'il a Supporté de fort grosses dépenses
 depuis cinq ou six Années qu'il travaille à cette
 affaire, mais sur tout, à cause de ce qu'il a déjà
 fait, et qu'il peut encore faire pour ce Pais là.

A

Bouttes les
 encouragemens
 déjà accordés

42

A Londres le 6^{me} Juillet 1730

Jean Pierre Purry

Recd }
Read } 9th July 1730

114
D. P. R. O. South Carolina (R.T.) Vol. 25. p. 244.

Whitehall

23 May 1730.

To the R^t Hon^{ble} the Lords of the Committee
of His Majesty's most Hon^{ble} Privy Council.

My Lords,

We have had under Our Consideration Your
Lordships Order of the 14th Inst. referring to us a Peti-
tion from the Lord Carteret, setting forth his Right
to one full eighth undivided part of Carolina, and
also of the Arrears of Quit Rents, and humbly pray-
ing, that his eighth part of the Soil may be set out
and allotted to him, in such parts of the S^t Pro-
vince, as shall be agreed upon by such persons as
His Majesty shall be pleased to appoint for His
Majesty & such persons as his Lordship shall name
on his part, to hold the same in severalty to him
and his heirs, together with all the same Royalties
Powers, Liberties and Privileges (the Governm^t of
the said Province only excepted) as far as concerns
such eighth part, as he is Entitled unto, under
the Charter of the Province, and the Act of Parlia-
ment lately passed for establishing an Agreement
with

with Seven of the Lords Proprietors of Carolina for
 "surrendering their Title and Interest therein to His
 Majesty, in Case such Division or allotment was
 not or should not be made, and under the like Quit
 Rents as are mentioned in the 1st Charter, according to his
 proportion or eighth part thereof; Whereupon the said
 Lord Carteret proposes to surrender to His Majesty his
 Interest in the Government of the said Province, and to
 convey, confirm and release to His Maj^{ty} the other seven
 parts of the said Province" We take leave to represent
 to your Lordships, that we are of opinion it will be
 for His Maj^{ty}'s service, that the Lord Carteret's Property
 should be separated from that of His Majesty's where-
 in he should enjoy whatsoever he is entitled to by
 the Charter of Carolina and the aforesaid late Act
 of Parliament; And to prevent any Difficulties
 that may attend the setting out of an eighth part of
 the Soil of the said Province, we think the method pro-
 posed by the said Lord Carteret will be most effectual.
 Wherefore we have no Objection to His Majesty's ap-
 pointing some proper persons and empowering them to
 agree finally with such as shall be appointed by the
 said Lord Carteret for such a Tract of Land as they shall
 deem to be a just proportion for his Lordship's eighth
 part

part and upon his Lordships Surrendering to His Majesty
by all pretensions to the Govt of Carolina, the 1/8th part
of the Lands to be set out as aforesaid may be
convey'd to his Lordship in such manner as His
Majesty shall be advised by his Council learned in
the Law,

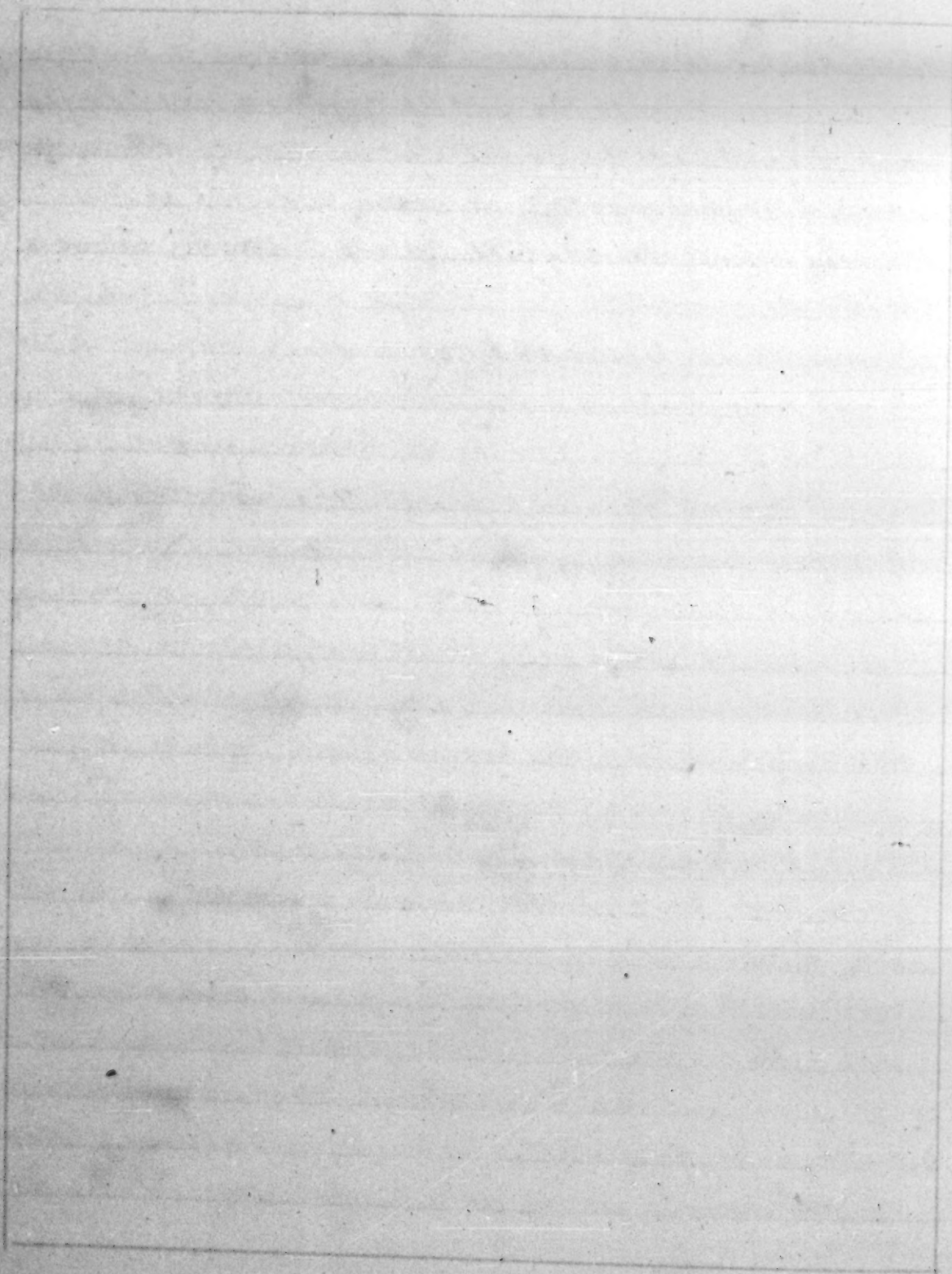
We are &c.

Westmorland.

P. Doerninque.

C. Bridgeman

A. Croft.



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B. P. R. O. South Carolina B. I. Vol. 15 & 100.

South Carolina Charles Town 25. May 1730

Sir

Since Your departure from this place Nothing New has happened, but in relation to our Currency which is the constant Discourse in all Company; We have handed about here the inclosed Petition of the Merch^{ts} in London Trading to this Province, Also the inclosed Queries and Answers sent by Ser^t Johnson, being proposed to him by the Lords of Trade; People have various thoughts about those Answers, but by most its thought they are calculated to please the unthinking People in this Province, who are so much in Love with a Currency and with breaking their own Laws that Nothing can be more gratefull to them; But what could be the Inducement to the Traders in London to desire the publick faith of this Province to be again, is more than we can discover, When you left this Province Several Traders and Planters were forming a Bank, which is now Agreed to, there is 35 Men concerned, Every man Subscribes for. 2000 £ current Money, & is to pay in. 1000 £ of it, the Remainder to be paid in 20. days after a call is made, or to be deprived of their Share & the first payment. To show the Strength of
of

of this Bank (whose Cash will only consist of 10000 £ currency equal to 10250 £ Sterling I must observe that their Notes are printed & ready to give out, & that the Stop is the want of Cash, Most of the Members finding a difficulty to pay in the 1000 £ and some of them were obliged to drop their Shares for want of the Cash. In a late Meeting of those eminent Bankers I am told, it was proposed, that as it would be a loss to have 10000 £ sunk in the Bank which they said would be of no Use, they therefore proposed giving their Treasurer their own Promissory Notes in place of the paper money or Currency, which they at first proposed should be in Bank. It is easy to foresee those Gentlemen propose to force their own Notes upon us, neither can we help it without Assistance from the Government at home or Your Self. So many trading men joined together are capable in this small place to make Guinea money (Big Cowries) pass current here.

Some of these Bankers Eyes are beginning to open, being affrayed that by the Increasing the Currency with 50000 £ more the Exchange will grow worse and hurt their private Estates, which must be the consequence of their confused Scheme. W. Godin

& my Self have told most of the Members that will
 be the consequence, Yet He shall not be able to
 Refuse those notes as payment without a very great
 loss to our Business. You have here inclosed a copy
 of one of those new notes which are to be for
 £ 21. 14. 7 & £ 3. 10^s currency. They mention a proportion
 of Silver in all of them at the Rate of 35^s currency
 for one ounce of Silver, It is to be observed that
 altho they promise to pay Silver, they openly say
 they will not give any in payments, & we are certain
 by their Articles they have not paper currency
 to pay above four Shillings in the pound, They had
 Several Disputes about the quantity of Silver for
 Seven pounds, but at last Agreed to four ounces, tho
 all the most sensible Proposed 3. 15^s this was overruled
 by the Majority for no other Reason as I could learn
 but because You gave so much for Seven pounds, You
 may observe Justice is the Check and engraved upon
 their notes, What an Emblem are they of it, Who pass
 their notes for four ounces of Silver when at same
 time they dont design to give one ounce in payment
 of 40s, Who pretend to Relieve their Neighbours & Country
 men from paying 15 p cent p annum Interest when
 they themselves will gain above 30 p cent all charges

deducted

deducted, Who pretend to give the Currency of the Province
 a certain fixed value when at same time they are take-
 ing the surest Method to make it of less value
 than it now is, Who as Bankers promise to give
 Silver at 35^s p Ounce, & yet as private Men wont take
 36^s p Ounce, Who pretend to give four Ounces of Silver
 for seven Pounds when they know, None dare take
 it or pay it for more than twenty seven Shillings
 and six pence by an Act of Parliamt in Great Britain
 and in force in this Province &c.

(Endorsed. Copy of a Letter from a Merchant in Carolina
 to Sir Alex. Cumming Bart) in Sir Alex. Cummings of July 11th.)

Recd wth the D. of Newcastle's
 Letter of 7th 11th July 1730

Recd 14th July }
 Recd 15th D^r } 1730

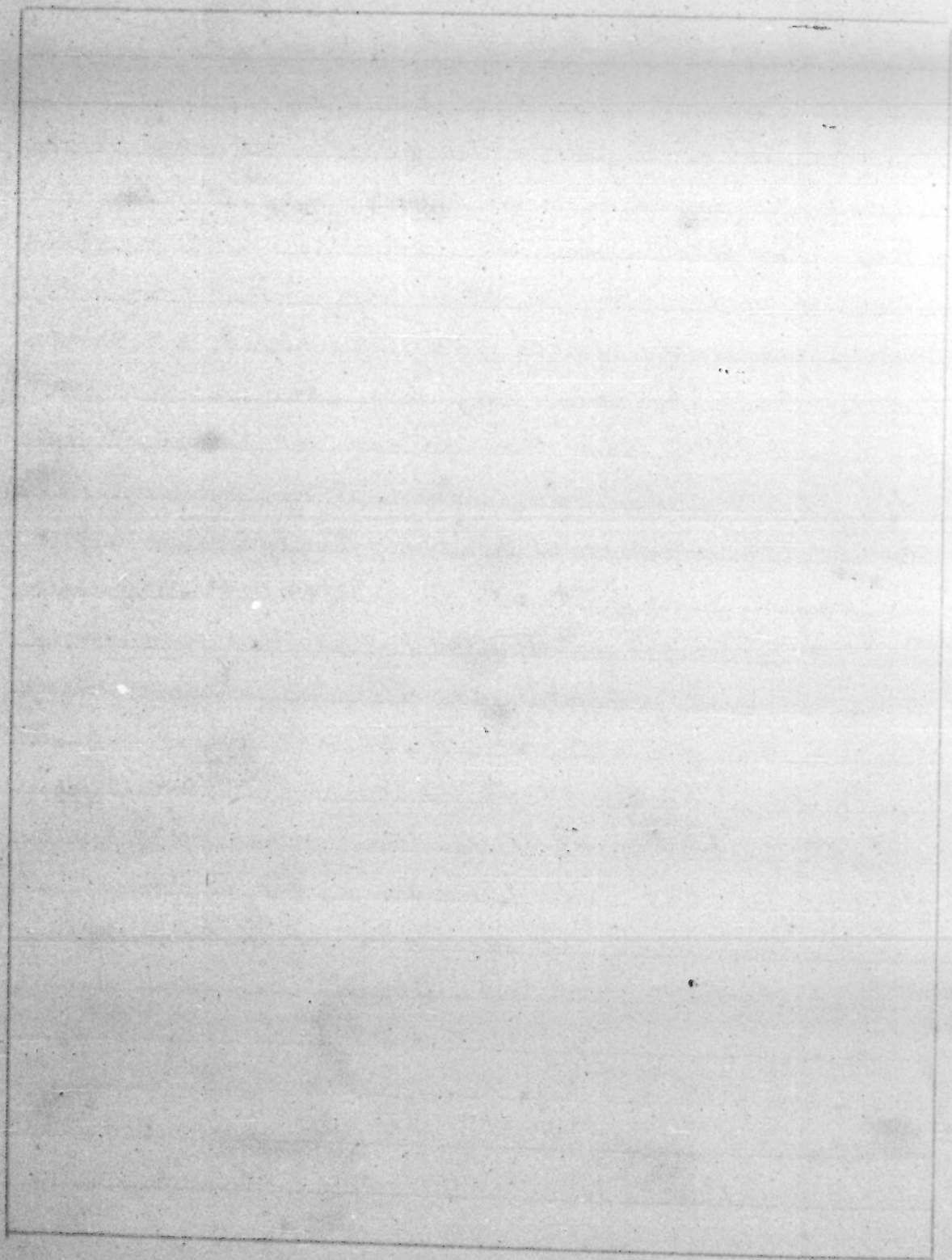
B. P. R. O. South Carolina B. T. 6th 6ss.

We the Undersigned Merchants and others trading to South Carolina do most humbly desire the Right Honourable the Lords Commissioners for Trade and plantations to give Directions that the Laws relating to the Distribution and Execution of Justice in South Carolina be Inspected and proper Amendments made and particularly that the Abuses occasioned by an Act of Assembly passed about three Years ago Altering the Manner of Serving Process be remedied for by that Act (as it now stands) the Obtaining Common Justice is rendered very uncertain and Credit and Commerce greatly suffer thereby. We also humbly conceive the present Act to be very prejudicial.

St. Pet. Godin	D ^t Godin	John Howlett
Rich ^d Shubrick	Rich ^d Lambton	John Bell
John Goran	John Forster	James Omer
Jn ^o Dolman	Tran ^s Greene	Jn ^o Haskinson
David Crokall	Robert Hume	

Recd May 27

Recd June 2^d 1730



B P R O A v K I Vol 621

To the King's most Excellent Majesty
The humble Petition of Captain James Sutherland
Most humbly Sheweth

That by his late Majesty, Your Royal Father's Commission, dated March the 29th 1722 from Gov^r Nicholson Gov^r of South Carolina, Your Pet^r was appointed Captain of Johnsons Fort near Charles Town, in which Post he continued some time after the said Governor's death, when the President, who then became Commander in chief, sold Your Pet^r's Post to a Hatmaker Intirely ignorant of Military Affairs, to the great prejudice of Your Pet^r and the not any Complaint was made of him

That he has Served the Crown near Thirty years, and has been very Serviceable on severall Occasions to the Navigation of that Place, as may appear the Annual Certificate Signed by Masters of Ships Trading to that Place.

That in May 1745 hearing a Sloop was off the Barr with 35 Men he with only 9 Men under his Command, Surpriz'd and took her, in Consideration whereof 135 of the Inhabitants Sign'd a Petition to Governor Nicholson

Nicholson for a Reward, which Petition the Gen^l brought over to lay before his late Majesty, but he dying soon after, Your Pet^d Services are forgott.

He therefore most humbly Prays Your Sacred Majesty will be Graciously pleased to Grant that he may be restored to the said Command, since he is Informed Yo^r Majesty is Proprietor, as well as Sovereign of that Province.

And, as in Duty bound, he will
Ever Pray V:

(Enclosure)

These are to Certify That for Seven years past We have well known Captain James Sutherland Commander of Johnson's Fort in South Carolina, and while in that Station (as an Experienced Good Officer) he did many Services to all the Shipping which came there, and was universally beloved and approved of by all the Commanders. Therefore We humbly Pray that the said James Sutherland may be restored to his former Command. Witness Our hands London Aug^r 14th 1729.

W^m Limestone. Jⁿ Hatchson. J^m Shutebich, Mar^t Brooks
Jⁿ Omer, Jⁿ Coutvert, W^m Hujed, Jⁿ Henderson
Robt Clark, W^m Barfult, Th^o Skinner, David Crockett
Elth German

El^{as} Oaman, Pat Dukes, W^m Bell, J^r Allwood,
 In^c Carothers, Tho^s Word, Dan^l Bell, Int. Secult,
 Isaac Tirley, George Baugh, W^m Cochran, Int. Lardan,
 Tho^s Patey, Jo^s Goffe, W^m Hunt,

The Originall is in the hands
 of S^r Robert Walpole given
 by the Lord Stathnover

(Enclosure)

To His Excellency Francis Nicholson Esq^r To
 the hon^{ble} his Maj^{ty} Council, & to the hon^{ble}
 the house of Assembly

The humble Petition of the Merchants and
 Freeholders of Charles in South Carolina

Sheweth

That Whereas we are sensible of the many
 good Services done by Captain James Sutherland Com-
 mander of Johnson's Fort, in Apprehending run away
 Servants & Negroes, and in assisting of Ships in
 distress. We humbly Pray that he may have such
 a Number of Men, and a good boat, as may be
 convenient for the said Service, And we humbly hope
 that your honours will be pleased to consider him
 for

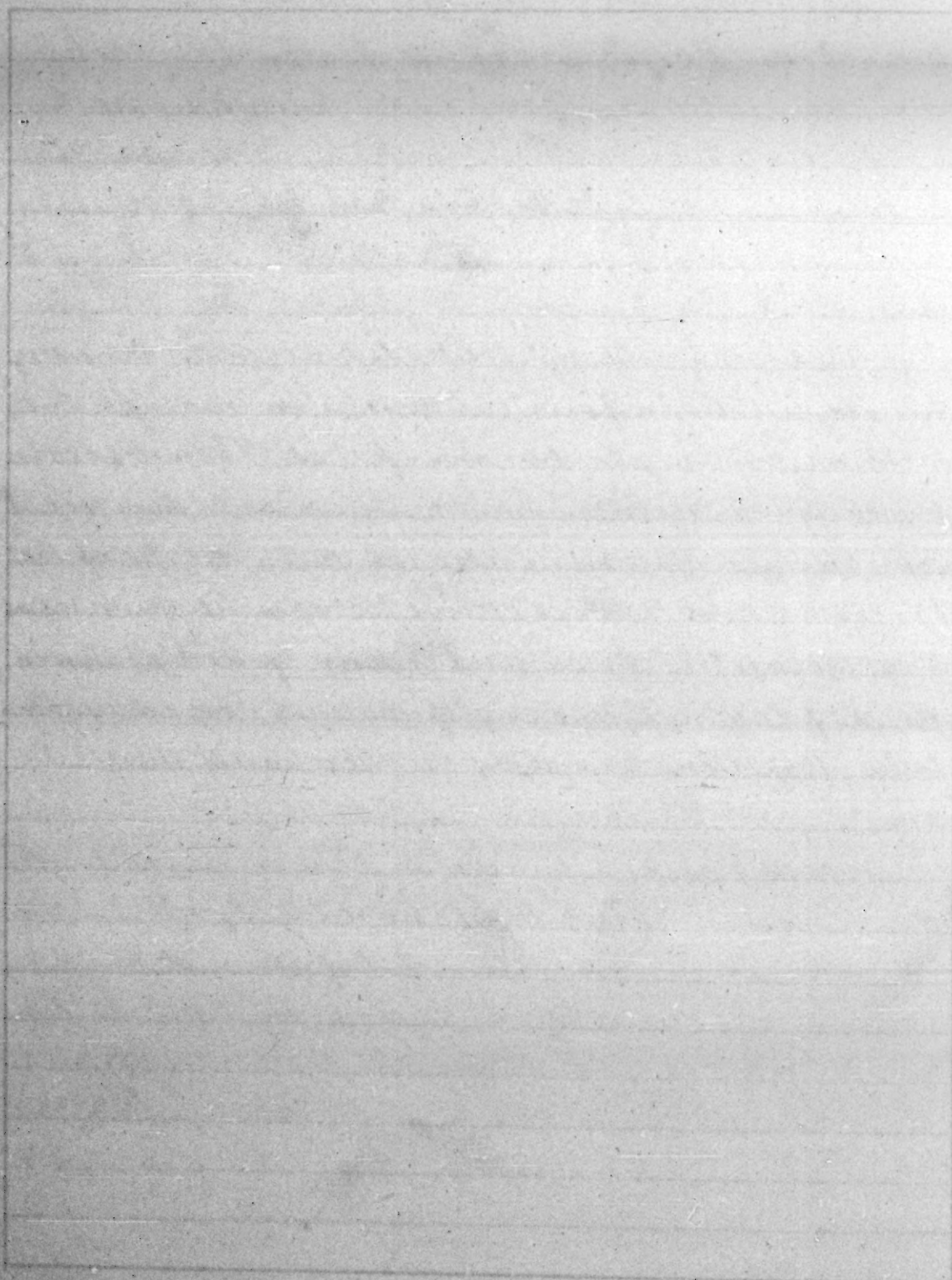
for his good Services, and in particular for his going out to Sea with Nine Men and himself, in his own boat the twelfth of this month and Surprising the Pyrate with thirty five men, whom he brought to this Town

Whereunto we Subscribe at Charles Town
May 16th 1725

Jos Knapp, Ad Allan, Jas Bell, George Green,
Jas More, Anty Matthews, Alex French W^m Smith,
Ja Bussdell, Luke Grant, W^m Wattson, Jas Walker,
Ja Debrassowet, M^r Morner, L. Dratell, Jude Sumnall,
Dan^l Green, Jam^s Smith, Geo Rivers, Rich^d Higgin,
W^m Whit, L. Debrassowet, Tho^s Lawrence, Jas White,
Tho^s Blakeway, Geo Smith, Ath Hugate, Jas Dickson,
Sam^l Connerys, Jas Dalties, Alex Chrich, Geo Doggett,
Geo Smith, Jas Wattson, Robt Johnson, W^m Lane,
W^m Lockhand, Rob^t Young, Jas Macknabrey, Jas Thaland,
W^m Scott, Geo Watts, Jas Brouse, Tho^s Herbert,
Jas Holmes, Tho^s Bolton, Jas Holmes, Geo Radnall,
Jas Tiddling, Jas Holmes, W^m Willson, Ja bond,
W^m Alloys, Geo Barwalie, Ed^m Stuart, And^r Wayatt,
Rich^d Kogge, Johⁿ Shultbrough, Rob^t Smith, Jas Dedarett,
W^m Seaby, Rob^t Croninton, Rich^d Gilles, And^r Quicks,
Tho^s Gadson, Ed^m Crafts, Jas Calcutt, Sam^l Langley,
Dan^l

Dan^l Gibson, Fran^s Holmes, David Jones, John Crooke,
 Mar Oliver, Heli Crofts, In^s Dicks, P^r Sepantes,
 In^s Douben, Lar^o Coultet, In^s Haran, In^s Hearn,
 Geo Shrive, Pet^r Luntsett, Geo Rivers, Tho^s Howard,
 Jas Campbell, Jo^s Lloyd, A^t Hall, Rich^d Woodward,
 Sam^l Crockett, Geo Brovinton, An^o Perriton, John Scriven,
 Tho^s Croke, An^o Young, Pet^r Pennore, Sten Russell,
 Jo^s Haynes, Fran^s Godard, An^o Legue, Tho^s Alluey,
 W^m Wallington, Geo Lee, John Digness, Geo Benett,
 Jo^s Hugg, Alex^r Farres, In^s Lesure, P^r Sandeford,
 Jon^s Coling, In^s White, W^m Sadler, W^m Robeson,
 In^s Smith, Jas^s Moverief, Geo Pickett, In^s Bucknall,
 Geo Gardner, Phil^l Dass, Mrs Lucy, Cathnall Scott,
 Tho^s Lady, Geo Dampfield, W^m Muehtwong, Jas^s Moody,
 Mrs Harvey, In^s Surock,
 Edmon. Holand, Tho^s Battman,
 Edward Crofts,
 Tho^s Lambert,
 Jas^s Mangould,

The Originall of this was brought
 to Great Britain by Gen^l Archelton
 then Gov^r of the said Province,
 in Order to lay before his late
 Majesty.



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B. P. R. V. South Carolina (B.T.) Vol 26. p. 280.

Whitehall.

4. June 1730.

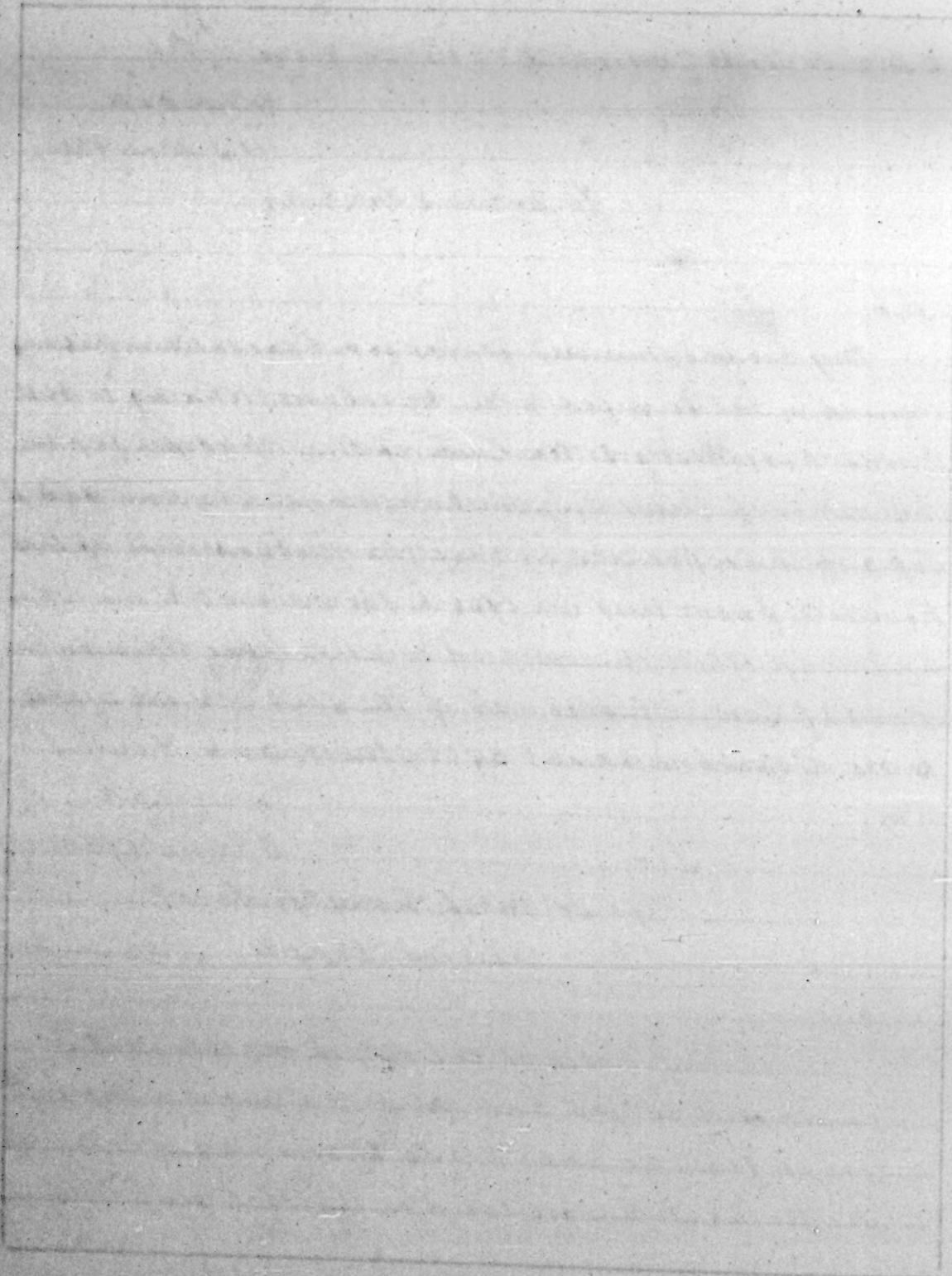
To Francis Tans Esq.

Sir,

My Lords Commiss^{rs} for Trade & Plantations having received a Petition from the Merchants trading to South Carolina, relating to the Laws of that Province for the Execution of Justice, I am commanded to send you a Copy of their Petition as also the publick Acts of that Province from August 1721, to the present time, which any way relate thereto, and to desire your Opinion in point of Law, whether any of the said Acts are liable to the Objections raised by the Merchants thereto. I am,

Sir,

Your most humble Serv^t
Alured Popple.



B. P. R. C. South Carolina (B.T.) Vol 25. p. 281.

Whitchall.

4 June 1730.

To Francis Hans, Esq.

Sir,

My Lords Commissioners for Trade & Plantations
Command me to send you the inclosed Charter to the
Lords Proprietors of Carolina, and to desire your Opin-
ion whether according to that Charter any Grant from
the Lords Proprietors be valid, unless signed by them
at all, under their common Seal, I am, &c.

Alured Popple.

B. P. R. C. South Carolina (B.T.) Vol 25. p. 281.

Whitchall.

5 June 1730.

To Mr Attorney Genl

Sir,

With my letter of the 18th of March last, I
transmitted to you and Mr Sol^r General a Copy of
a Grant from ye late Lords Proprietors of Carolina
to Sir Nath^l Johnson dated in 1686 for your Opinions
in

in point of Law, whether such Grants are legal and of force, And at ye same time, I sent you the Grants from the Crown to the Lords Proprietors for your further Information upon this subject. As the Board have at present Occasion to make use of those Grants from the Crown to the Lords Proprietors, I must desire the favour of you to let them be delivered to the Bearer by whom I shall return them on Wednesday or Thursday next,

I am,

Sir,

Your most humble Servt

Alured Popple.

B. P. R. O. South Carolina B. T. Vol 6 6 93.

Whitehall June 5th 1790.

My Lords

I send your Lordships enclosed a Letter I have received from Mr Thomas Lowndes relating to a proposal of making Pot Ashes in Carolina, which you will please to consider, and to give it such countenance and encouragement, as it shall appear to you to deserve. I am

My Lords

Your Lord^{ts}

Most obedient humble servant

Lords Comm^{rs} for Trade

Holles Sturges

(Enclosure)

My Lord

I had sent your Grace the inclosed copy many days ago, had not a violent fit of Sickness prevented me. The Person who wrote the Original is a Young Merchant and Partner with Mr Waagg in Southbury And your Grace will permitt me to observe, that some of the best Merchants of the City of London are now fully convinced, that great Quantities of right good Pot Ash can be made to Profit in
our

our American Plantations, and in a few Months
there will be some Tons of that valuable Commodity
imported hither from Carolina. I am

My Lord

Your Graces

Most Obedient

and most devoted humble Servant

2^d June 1730

Tho: Lowndes

(Enclosure)

Copy of Mr Lambtons Letter to Tho: Lowndes
Sir.

A Noted Soapboylee, who has tryed the
Hoghead of Tott Ash, that came some time since
from Carolina, has owned to Mr Wragg and Myself,
that it is as good as the East Country Tott Ash,
in all respects, but in the colour, which I hope
Artists can easily remedy I am &c 11th May 1730

Rich^d Lambton

Recd June 8th
Recd 8th 11th } 1730

B I R O. South Carolina B I Vol 4 694

(19th May 1730)

Sir

It being by the goodnatured Encouragement of the Earl of Westmoreland, that I undertook to show that a Sufficient Quantity (to serve Great Britain) of good Pott Ash might be made in our own Plantations, I therefore begg of you to communicate to that Noble Lord, and the rest of the Lords Comissioners for Trade and Plantations the enclosed copy of a Letter. The Person who wrote the Original served his time with One Mr Kragg in Carolina and is now in Southbury and I believe Partner with Mr Kragg.

The Planters in Carolina may now be rich if they please, for considering the Lumber and Plank trade w^{ch} they are now got into to the Islands, the making of Pott Ash in w^{ch} there is very little History, and with which the Markets here can not be overcharged will pay the Planters more than double the Expence they are at, in clearing their Lands; and this you know will be a great Inducement to new Settlers Besides the making Pott Ash will not (according to Information) interfere with

with the Planting Rice.

The Person who made the Pott Ash mentioned in the Letter is a Blacksmith by Trade, and therefore some allowance is to be made upon that Account for the Colour.

You'll also permitt Me to inclose to You a Copy of a Paragraph of a Letter from Colonel Bull One of his Ma^{ty} Council in South Carolina, and for his Character I beg leave to refer you to Col: Johnson. And had I not been convinced that I had had good reason to justify the Memorial relating to serving Process, I am sure I would not have given the Lords of Trade the Trouble I did. I am
Sir

Your most Obedient
and most humble Servant

Thos Lowndes

9th May 1730
At Sir^s Popple

Recd May 17th }
Recd June 11. } 1730

S. P. R. O. South Carolina B.T. Vol 4 C. 90

(8th June 1782)

Mem^o from Col. Johnson relating to some clauses
in the Dra^{ft} of his Instructions for y^e Gov^r
of South Carolina.

Art^{le} 19 (After the Words Proclamation (Mong) or the
value thereof in Carolina bills;) I think — should
be added

30. I hope leave will be given me by my Instructions
to accept of a Sum if given by the Assembly, for
house rent not exceeding 4 or 500 £ a Year in the
Same Manner my predecessor Genl. Nicholson took
it, the Gov^r being now much worse than in his
time, by not having the command of the Inde-
pendant Company there

30. I do apprehend, it is not usual, to insert in
Grants to be made of Lands in fee simple clauses
which will vacate the said Grants, as this article
directs in case of non cultivation or non payment
of Quit rents reserved thereon; such forfeitures would
be better provided for by a Law to be past for that
purpose, which I may be directed to obtain before I
grant any Lands; In the same article before the
Word (Rivers) should be inserted (Navigable) and also
in

in the same article the provision for a free passage to and from Rivers will be better provided for by a Law past as aforesaid, and not inserted in the Grants of Land.

Memorandum It is not said what Rent rents I am to reserve upon Lands to be granted for the future, or if Royal Mines are to be reserved to the King or no.

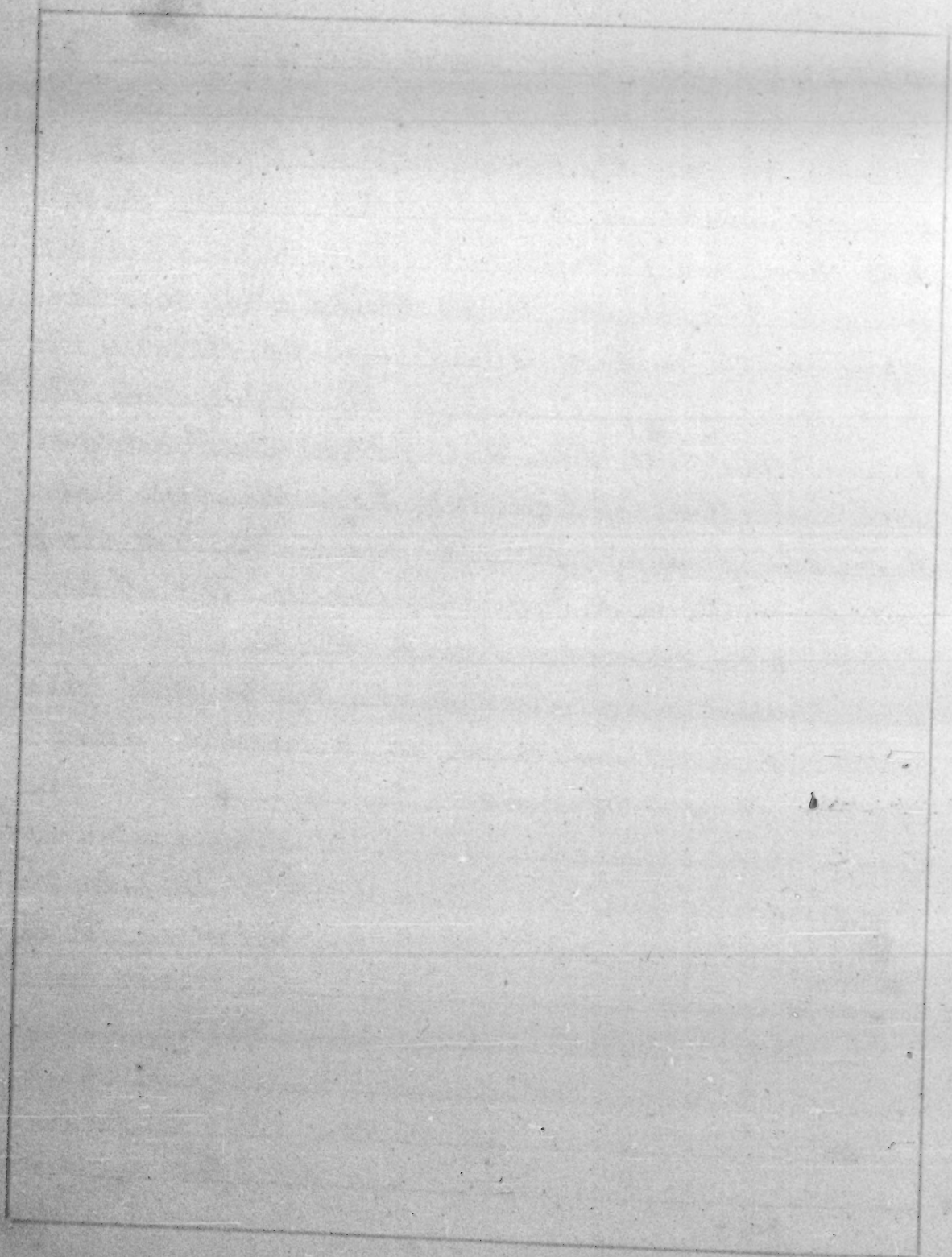
48 The Saving clause in the Act for Establishing an Agreement with 7 of the Lords Prop^{rs} of Carolina &c saves to all Persons having or (Lawfully) claiming any office or Offices &c I beg leave to remark, that the Solicitor General was formerly of opinion (I have heard) that some of those grants were not (Lawfull) grants I desire therefore to be fully instructed whether before that question be decided by law, I am to admitt any officer to Act by virtue of Patents Granted by the late Lords Prop^{rs} I appearing to me not to be consistant with the Kings Government or Interest they should be permitted and if I admitt Such officers to Act without being instructed so to do, it may hereafter bring me under a censure for so doing.

I apprehend the running the boundary line betwixt South & North Carolina would admitt of the following way

way of Expressing it, to answer the same intent viz:
 That a line shall be run (by Commissioners appointed
 by each Province) Beginning at the Sea 30 Miles distant
 from the Mouth of Cape Fear River on the South
 West Side thereof, keeping the same distance from
 the said River as the course thereof runs, to the
 Main Source or head thereof, and from thence the
 said boundary line shall be continued due West as
 far as the South Sea, But if Waccama River lies
 within 30 Miles of Cape Fear River then that River
 to be the boundary, from the Sea to the head thereof,
 and from thence to keep the distance of 30 Miles
 Parallel from Cape Fear River to the head thereof, and
 from thence a due West course to the South Sea

It will be necessary for me to have a Copy
 of the Jersey Money Law.

Read June 8th }
 Read June 9th } 1730



B. P. R. O. South Carolina B. T. vol 12 691

(9th June 1730)

To the Right Hon^{ble} the Lords Comm^{rs} for
Trade and Plantations

My Lords

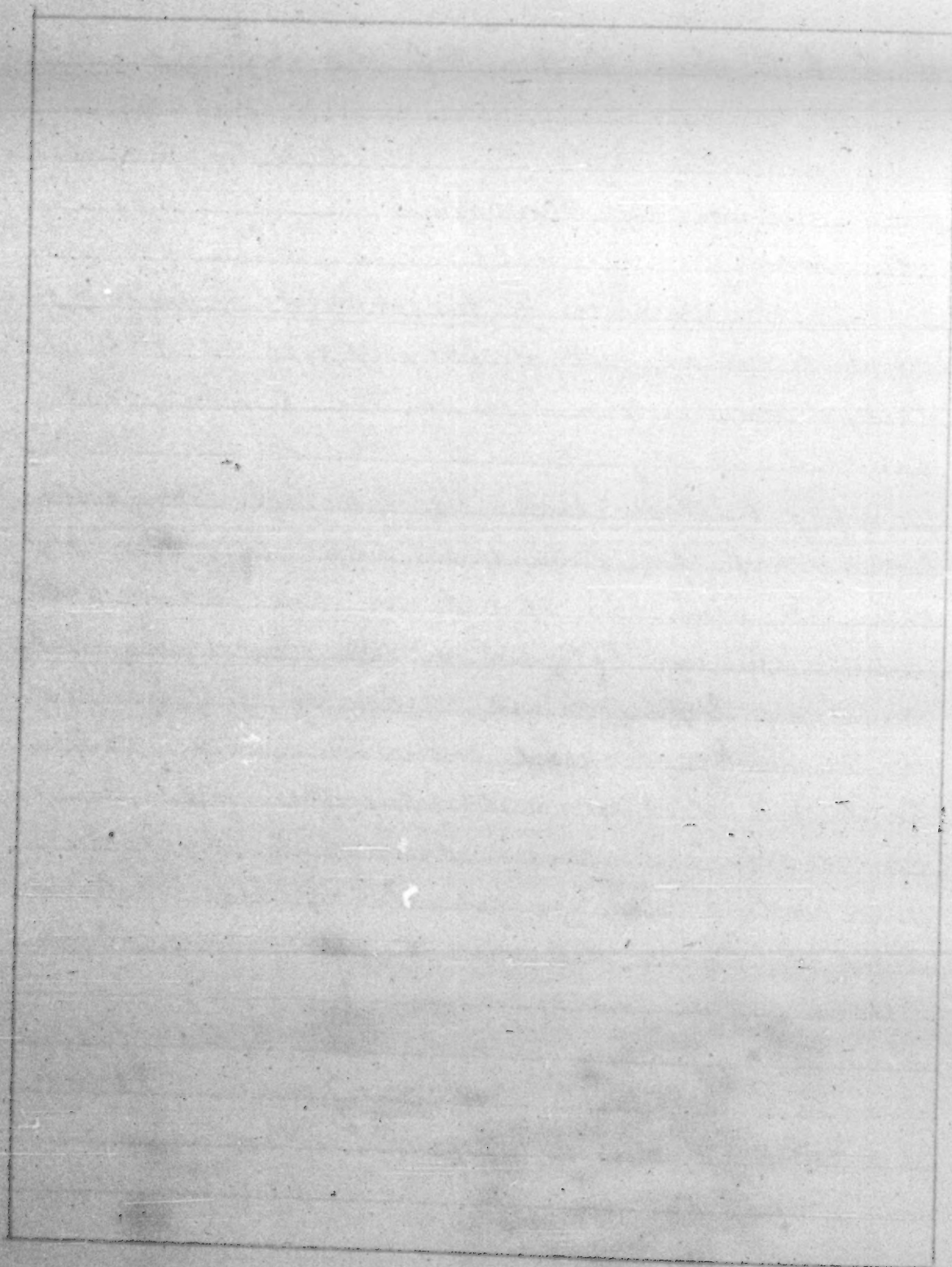
In Obedience to Your Lordships Commands signified to me by Mr. Popple's Letter of the 15th of this Instant inclosing a Copy of the Carolina Charter and desiring My Opinion in Point of Law, Whether according to that Charter any Grant from the Lords Proprietors of that Province be valid unless Signed by them all and under their Common Seal; I have considered the said Charter and the Powers given thereto the Lords Proprietors, and am humbly of Opinion that no Grant will be valid unless it is under the hands and Seal of all the Proprietors, for the Powers given to them are joint, and cannot be legally executed without the Express consent of the whole - which is humbly submitted to Your Lordships Great Wisdom

9th June 1730

Tran Lane

Recd

Recd } June 9. 1730



B. P. R. O. South Carolina B. I. Vol. 11. C. 92

(29th May 1720)

My Lords

Sometime since I deliver'd to your Lordships two Memorials in the name of Thomas Missing of Balmouth Esq^r y^e one dated the 23 September the other the 29 October 1720. as also a letter dated the 11 August last concerning the Transportation of Palatines to Carolina.

I have ever since kept up that correspondence in Holland and given those people encouragement to hope His Maj^{ty} will favour such as settle there (more especially the first settlement) with some particular franchises, Lands &c.

I now do myself the Hon^r to acquaint your Lordships that last post from Holland advis'd me that 500 of those people were then come down to Rotterdam in order to ship themselves for the British Plantations and they were then treating with the Master of a Ship of 180 Tons I have now there to carry part of them, and M^r Missing hath Shipping now at Amsterdam sufficient for the rest. 500 more are likewise coming down.

If your Lordships have settled any thing
for

for the encouragement of their going over to Carolina
and that it is of more Service to His Maj^y that
they should settle in that Colony preferable to others
We would use our endeavour to perswade those
people to Transport themselves thither

I am with all Respect

Martens Lane

My Lords

Cannon Street

Your Lordships

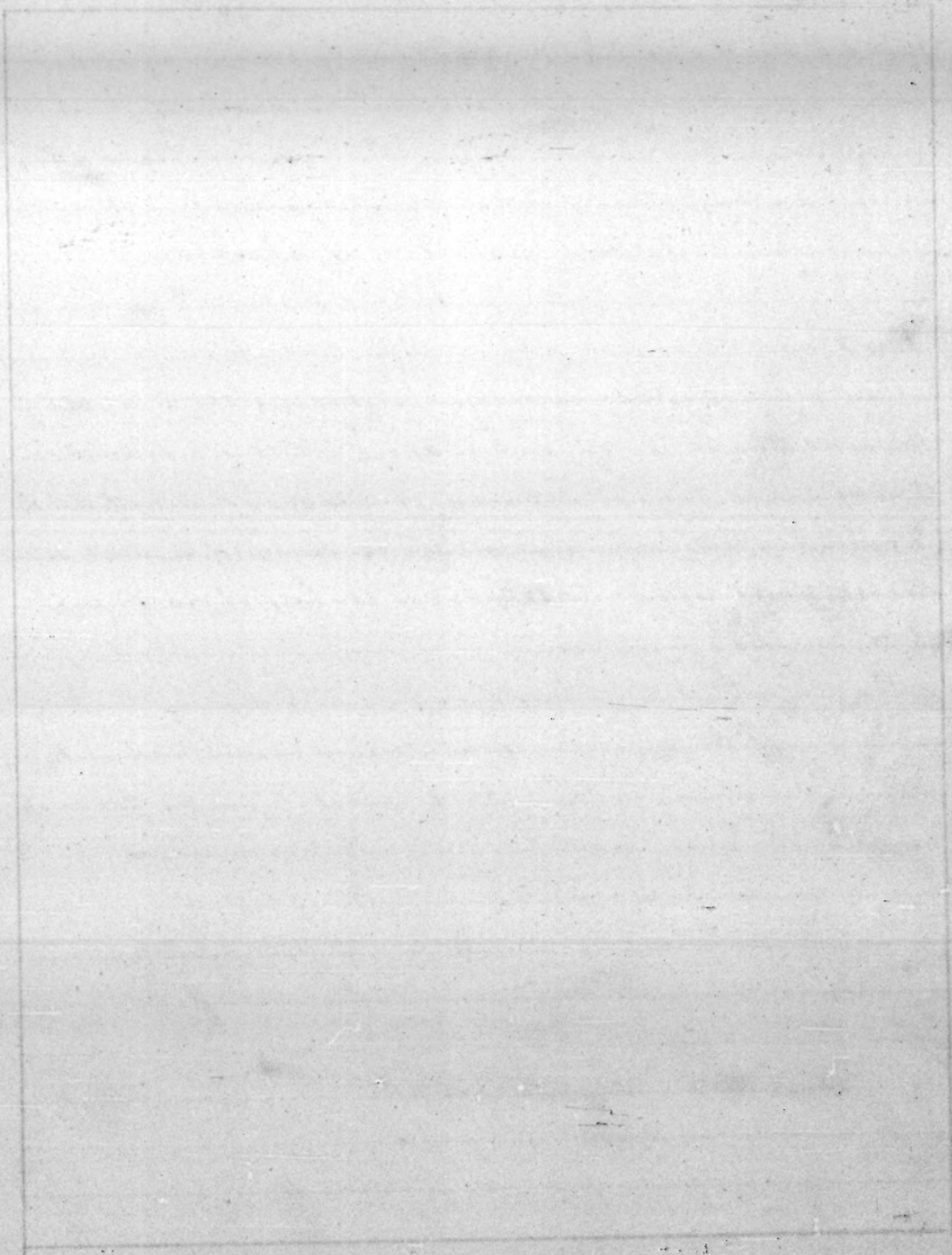
29. May 1730

Most Obedient Humble Servant

Douglas De La Fontaine

R^d Hon^{ble} The Lords Commiss^{rs} for Trade & y^e Plantations

Recd May 29. }
Recd June 11. } 1730



N. P. & C. South Carolina (N.S.) Vol. 25. p. 282

Whitchall,

10 June 1730.

To His Grace y^e D of Newcastle.

My Lord.

Your Grace will receive inclosed the Draughts of
General Instructions, and of those which relate to the
Act of Trade for Col. Johnson, His Majesty's Gov^r of South
Carolina, with our Representation thereupon, And we
desire your Grace will please to lay them before
His Majesty. We are,

My Lord,

Your Graces most obedient
and most humble Servants

P. Doerninque.

M. Bladen.

W. Bridgeman.

Ja. Brudenel.

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N. P. R. V. South Carolina (N.T.) Vol. 26. p. 282.

Whitchall

10 June 1730.

To the King's most Excellent Majesty.

May it please Your Majesty.

In Obedience to your Majesty's Commands, signified to us by a Letter from the Right Hon^{ble} the Lord Viscount Townshend, dated the 22^d of Novem^r last, We have prepared the Draughts of Gen^l Instructions, and those wth particularly relate to the Acts of Trade and Navigation for Robt Johnson Esq. whom your Majesty has been pleased to appoint Gov^r of y^e Province of South Carolina & humbly take leave to Represent to your Maj^{ty}

That the appointment of the late Gov^r having been only provisional his Instructions were not so full as those of other Governors: But your Majesty having since that appointment been pleased to purchase the Sovereignty of this Province, with Seven Eighth parts of the Land thereof, we think it for your Majesty's Service that Col: Johnson shou^d be as amply Instructed as your Majesty's other Governors in America are, and therefore have inserted in the enclosed Draught all such Instructions as are usually given to other Governors where the same were applicable to the present

Circum

Circumstances of this Province, taking notice in this Report of such Alterations as we have made therein.

In the first Article we have added the Names of Thos. Brought, Jno. Fenwick, Jos. Wragg, Thos. Waring, & Jno. Hammon-
ton, Esq.; in the room of Thos. Smith, Jos. Morton, W^m Gibbon,
Chas. Art and Ben: de la Consiellere, Esq.

Your Majesty having been pleased to purchase seven eighth parts of the Arrears of Quit Rent due from the Possessors of Land in Carolina. We think it will be for your Majesty's Service, considering the circumstances of this Province that you should be graciously pleased to remit the same upon the Conditions following vizt.

1st That the Assembly do pass an Act for repealing one formerly consented to by the Lords Proprietors Ent^d. An Act to ascertain the Prices of Land, the forms of conveyances and the manner of recovering of Rents for Lands; and the Prices of the Lev^d Commodities, the same shall be paid in, for should this Act continue in force your Majesty would not only be prevented from disposing of your Land in the most advantageous manner for your Service; But y^e Value of your Quit Rents would greatly depend upon the people; for by the 14 Act the Quit Rents are made payable in the produce of that Country at a Price to be fixed by three persons nomin-
ated

nominated by the Gov^t and Council and 3 by the Assembly.

2^{dy} That all the possessors of Land do register their Grants that you may^y be informed thereof, and of the Quit Rents reserved thereon, and

3^{dy} That they do pay such Quit Rents for the future as Proclamation money, & therefore we have prepared the 19th Instruction accordingly.

There is An Act Subsisting in this Province, Entitled An Act for calling in and sinking the Paper Bills, & part of the Duties arising from the said Act are at present applicable to y^r paying of certain Bills of Credit now current in the said Province.

But the Planters and Merchants trading to South Carolina have represented to this Board, the necessity there is of applying such part of the said Duties for the term of Seven Years to y^r charge of Surveying and laying out Townships and to the purchasing of Tools, Provisions and other necessaries for any poor Protest^{ts} that shall be willing to settle there, and we have prepared the 20th Instruction for that purpose being of opinion, that this Appropriation may be a great encouragement to the more speedy & Effectual settling of this Province.

There being no Money current in this Province but Paper Bills, and those at a very great discount,
and

And the Planters and Merchants having represented to us the absolute necessity there is of having some Paper Money current there to serve as a Med^m of Trade, we have prepared the 21st, 22^d, 23^d, 24th, 25th, 26th, 27th, 28th, 29th, 30th, 31st, and 32nd Articles, whereby we have endeavoured not only to remedy the inconveniences commonly attending a paper Currency but have prescribed a method of calling in and cancelling the Bills now Current without prejudice either to the Planters or Merchants.

The Experience we have had of the good Effect of a scheme of this Nature in New Jersey has inclined us to propose this, to which may be added that a due Execution of such a Scheme would in time give the Province... ease by sufficiently providing for the Current Expence, by the Interest arising from these new Bills, without burthening y^e People with any Taxes.

In the 35th Article directing the Governor to take Care that fair Books of Accounts of all Receipts and Payments of Publick Money, be duly kept, we have inserted the following words: "And that all such Accounts be audited & attested by Our Auditor General of Our Plantations, or his Deputy, who is to transmit Copies thereof."

The

The usual manner of granting Lands by the Lords Proprietors of Carolina of late years, was to receive a fine of 20^l and reserve a Quit Rent of 10^l for each 100 Acres. But we conceive it may be more for Your Majesty's Service to make an Augmentation in the Quit Rents, in lieu of that fine, and have therefore prepared the 55th Instruction, directing the Governor to reserve a Quit Rent of 4^l 100 Acres in all Grants to be made for the future.

We have inserted the 53^d, 54^d, 55th, and 56th Articles, in relation to the Grants of Lands already made as well as for regulating such as shall be made for the future, and for the settling of Townships, on such places as we thought proper for Your Majesty's Service & the Good of the Province.

We have added the 57th Article, to encourage the Importation of white People, the Blacks bearing at present too great a Proportion to the number of Whites. Your Majesty has already been pleased to give Instructions of the like nature to Your Governors of Virginia and Jamaica.

We have inserted the 63^d Instruction that Your Majesty may be the better informed of such Offices and Places as were granted by the late Lords Proprietors under their common Seal, before the 1st of Jan^y 1727/8 and for which there was an express saving in the Act of

of Parliament passed in the 2^d Year of Your Majesty's
 Reign Ent^r An Act for establishing an Agreem^t with Y^e
 the E^ds Prop^r of Carolina for Y^e Surrender of their Int^r
 Interest in that Province to His Majesty.

The Fort of Alcatamaha, which we conceive to be of
 much Importance to Your Majesty's Possessions in this Pro-
 vince, having been neglected, We have inserted the
 114th Article, that the same may be immediately re-
 paired, and a Detachment of Your Majesty's Indepen-
 dent Company constantly kept there.

There having been disputes between the two Provin-
 ces of South & North Carolina, in relation to Y^e Bound-
 ary Line between them, We take leave to propose that
 the Line be run according to the 121st Article.

We have inserted the 125th Article at the Request
 of the Merchants Trading to South Carolina who com-
 plain of the Duties there imposed upon the Impor-
 tation of Negroes.

We have made no other Addition or alteration
 in these Instructions nor in those which relate to
 the Acts of Trade, than such as Your Majesty has
 already been pleased to approve in former Instruct^{ns}
 to Your other Governors in America.

All which is most humbly sub-
 mitted

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Submitted,

R. Drominque.

M. Bladen.

W^{ill}^d Bridgeman.

J^{am}^s Brudenell

Instructions to Our Trusty and Well-
belov'd Robert Johnson Esq^r Our Capt^l
General and Governor in Chief in and over
Our Province of South Carolina in
America. Given at Our Court at St James
the Day of 1730, in the fourth Year
of Our Reign.

With these Our Instructions you will receive
Our Commission under Our Great Seal of Great
Britain constituting you Our Captain General and
Governor in Chief in and over Our Province and Terri-
tory of South Carolina in America, You are there-
fore to fit yourself with all convenient speed, and to
repair to Our sd Province of South Carolina, and
being arriv'd there; you are to take upon you the
Execution of the Place and Trust we have reposed in
you

you, and forthwith to call together the Members of this Council in that Province vizt. Col. Thos. Broughton, Arthur Middleton, Ralph Spard, W^m Bull, Alex^r Skene, Jas. Yonge, James Kinlock, Robt Wright, In^t Anwick, Joseph Wragg, Thos. Waring, and John Hammerton, Esq^r

2. You are with all due & usual Solemnity to cause Our said Commission, constituting you, Our Captain Gen^l and Governor in Chief as aforesaid to be read and published at the 5th Meeting of Our Council. Which being done you shall yourself take and also Administer unto each of the Members of Our said Council the Oaths mentioned in an Act passed in the first Year of His late Maj^{ty} Our Royal father's Reign, Entituled An Act for the further Security of His Majesty's person and Government and of Succession of the Crown in the heirs of the late Princess Sophia being Protestants; And for Extinguishing the hopes of the pretended Prince of Wales and his open and secret Abettors, as also make and subscribe, and cause the Members of Our said Council to make and subscribe the Declaration mentioned in an Act of Parliament made in the 25th Year of the Reign of King Charles the 2^d. Ent^d An Act for preventing dangers wch may happen from Popish Recusants, and you and every of them are likewise to take an Oath

Oath for y^r due Execut^r of your and their Places and Trusts, as well as with regard to your & their equal and Impartial Administratⁿ of Justice; And you are also to take the Oath required to be taken by Governors of Plantations to do their utmost, that the Laws, relating to the Plantations be observed.

3^d You are forthwith to communicate unto Our Said Council, such & so many of these Instructions wherein their advice and consent are mentioned to be requisite, as likewise all such others from time to time as you shall find Concomitant for Our Service to be imparted to them.

4th You are to permit the Members of Our Said Council to have & enjoy freedom of Debate and Vote in all affairs of public concern, that may be debated in Council.

5th And altho by Our Commission aforesaid We have thought fit to direct that any three of the Council make a Quorum. It is nevertheless Our Will & Pleasure, that you do not act with a Quorum of less than five Members unless upon Emergencies when a greater Number cannot conveniently be had.

6th And that we may be always informd of the
Names

Names and Characters of persons fit to supply the Vacancies which shall happen in Our said Council. You are to transmit unto us by one of Our Principal Secretaries of State, and to Our Commissioners for Trade and Plantations, with all convenient Speed, the Names and Characters of 12 persons, Inhabitants of Our said Province whom you shall esteem the best Qualified for that Trust. And so from time to time when any of them shall dye, depart out of Our said Province or become otherwise unfit, you are to nominate so many other persons in their stead, that the list of twelve persons fit to supply the said Vacancies may be always complete.

¶ Whereas by Our Commission to you; you are Empow^{ed} in case of the Death or Absence of any of Our Council of the said Province to fill up y^e Vacancies in the said Council to the Number of Seven an no more; you are from time to time to send unto us as afores^d and to Our Commis^{rs} for Trade & Plantations, the Names & Qualities of any Members by you put into the said Council by y^e first Convenience after your so doing.

5th And in the Choice and Nomination of the Members of Our said Council, as also of the Chief Officers, Judges assistants, Justices and Sheriffs, you are always to take Care, that they be men of good life & well affected to
 Our

Our Government, and of good Estates and Abilities, and not necessitous persons.

9th You are neither to Augment nor diminish the Number of Our said Council as it is hereby Established, nor to suspend any of the Members thereof, without good a sufficient Cause; nor without the Consent of the Majority of the said Council. And in case of the Suspension of any of them; You are to cause your reasons for so doing, together with the Charges & Proofs against the said Persons & their answers thereunto to be duly entered upon the Council Books, and forthwith to transmit Copies thereof to us as aforesaid & to Our Commissioners for Trade and Plantations. Nevertheless if it should happen, that you should have reason for Suspending of any Councillor not fit to be communicated to the Council, you may in that case suspend such person without their consent. But you are thereupon immediately to send to us, by One of Our Principal Secretaries of State & to Our Commissioners for Trade & Plantations, an Account thereof, with your reasons for such Suspension, as also for not communicating the same to the Council & Duplicates thereof by the next Conveyance.

10th If you are to signify to Our Pleasure unto the Members

Members of Our Said Council, that if any of them shall hereafter Absent themselves from Our Said Province, Continue absent above the space of 12 Months, without Leave from you, or from the Commander in Chief of the S^d Province for the time being first Obtained, under your or his hand & Seal; It shall remain absent for the Space of 2 years Successively without Our leave given them under Our Royal Signature, their Place or Places in the S^d Council shall immediately thereupon become Void. And that We will forthwith appoint others in their Stead.

11th And whereas We are sensible, that effectual care ought to be taken to Oblige the Members of Our Said Council to a due attendance therein, in order to prevent y^t many inconveniencies that may happen for want of a Quorum of the Council, to transact business as Occasion may require. It is Our Will and Pleasure, that if any of the Members of Our S^d Council residing in the Province, shall hereafter wilfully absent themselves from the Council Board when duly summoned, without a just and lawful cause, and shall persist therein after Admonitions, you suspend the said Councillors so absenting themselves till Our further Pleasure be known, giving

giving us timely notice thereof. And We do hereby Will and require you, that this Our Royal Pleasure be signified to the several Members of Our Said Council; And that it be entered in the Council Books of Our said Province as a standing Rule.

12th You shall take care that the Members of the Assembly be elected only by freeholders, as being more agreeable to the Custom of this Kingdom, to which you are as near as may be to conform yourself in all particulars.

13th In case you find the usual Salaries or pay of the Members of the Assembly too high, you shall take care that they be reduced to such a moderate proportion as may be no grievance to the Country, wherein nevertheless you are to use your discretion so as no inconvenience may arise thereby.

14th And whereas the Members of several Assemblies in the Plantations have frequently assumed to themselves Privileges no ways belonging to them especially of being protected from Suits at Law, during the term they remain of the Assembly to the great prejudice of their Creditors and the Obstruction of Justice. And some have presumed to adjourn themselves at pleasure without leave from Our Gov^t first Obtained and others have taken upon them the sole framing of Money Bills, refusing.

refusing to let the Council alter or amend the same. All which are very detrimental to Our Prerogative. If upon your calling an Assembly in South Carolina you find them insist upon any of the abovesaid Privileges. You are to signify to them that it is Our Express Will & Pleasure that you do not allow any protection to any Member of the Council or Assembly further than in their persons, and that only during the sitting of the Assembly, and that you are not to allow them to adjourn themselves otherwise than de die in diem, except Sundays and holidays without leave from you or the Commander in Chief for the time being first Obtained. And that the Council have not like power of framing Money Bills as the Assembly. And you are hereby expressly enjoined not to allow the said Assembly or any of the Members thereof any Power or Privilege whatsoever, which is not allowed by us to the House of Commons or the Members thereof in Great Britain.

15th You are to observe in the passing of all Laws, that the Style of Enacting the same be by the Governor, Council & Assembly. You are also as much as possible to observe in the passing of all Laws, that whatever may be requisite upon each different matter, be accordingly provided for by a different Law, without intermixing in one and the same Act

Act Such things as have no proper relation to each other
And you are more especially to take care that no clause
or Clauses be inserted in or annex'd to any Act which
shall be foreign to what the Title of such respective Act
imports. And that no perpetual Clause be made part of
any Temporary Law. And that no Act whatsoever be
Suspended, Altered, Revoked, Confirmed or Repealed by
general words, but that the Title and Date of Such
Act so Suspended, Altered, Revoked, Confirmed or Repealed,
be particularly mentioned and expressed.

16th You are to take care that in all Acts or Orders
to be passed within that Our Province in any case
for levying Money or Imposing Taxes or Penalties express
mention be made, that y^e same is granted or rescinded
to Us, Our Heirs & Successors, for the Publick uses
of that Our Province, and the Support of the Government
thereof, as by the said Act or Order shall be directed.
And you are particularly not to pass any Law
or do any Act by Grant, Settlement or otherwise,
whereby Our Revenue may be lessened or impair-
ed without Our especial leave or Command therein.

17th You are not to permit any Clause what-
soever to be inserted in any Law for levying Money
or the Value of Money, whereby the same shall not be
made

made liable to be accounted for unto us, and to Our Commissioners of Our Treasury, or to Our High Treasurers for the time being, and Audited by Our Auditor General of Our Plantations, or his deputy for the time being.

18th And it is Our Express Will and Pleasure, that no Law for raising any Imposition on Wines or other Strong Liquors be made to continue for less than one whole Year. As also that all other Laws made for the Supply and Support of the Government shall be indefinite and without Limitation, except the same be for a temporary Service, and which shall expire, and have their full effect, within the time therein prefixed.

19th Whereas We have been at a considerable charge in purchasing the Sovereignty of the Provinces of South & North Carolina, together with Seven eighth parts of the Land thereof, from 49 late Lords Proprietors, and have actually paid them in consideration of Seven eighth parts of Quit Rents only, alledged to be due and in Arrear to them from the Inhabitants of Our Said Provinces the Sum of 5000^l. Now as a further mark of Our Royal Bounty and fatherly indulgence to Our People under Your Government we do hereby Empower you to give your Assent to a Law for remitting the

the said Arrears. Provided the Assembly do by the same Law repeal one formerly consented to by the Lords - Proprietors, Ent^d An Act to ascertain the Prices of Land, the Forms of Conveyances, & the manner of Recovering of Rents for Lands. And the Prices of the Several Commodities y^t same shall be paid in, and do thereby provide that all possessors of Land in Our Province, under Your Government do forthwith Register the respective Grants by which the Claim Such Lands, in the Office of Our Auditor General or his Deputy, a Copy of which Register, and of all Grants to be made for the future you are to send to us as aforesaid, and to Our Commissioners for Trade and Plantations, and that every person possessing Land in the sd Province, by Virtue of any Grant from the late Lords Proprietors, do for the future pay to us, Our Heirs and Successors the Annual Quit Rents reserved upon Such Grants respectively in Proclamation Money.

An Act was passed in 1731 pursuant to this Article

20th And whereas there is at present a certain Act in force in South Carolina. Ent^d. An Act for Calling in & Sinking y^e Paper Bills, and part of the produce of the Duties imposed by the said Act is applicable for & towards the discharging, and Sinking, of y^e Bills of Credit now Current in Our sd Province, And it hath been repre-

Sented

represented to us, that it would be a great encouragement for
 the more speedy and effectual settling of Our Said Province
 if the Assembly were permitted for the space of Seven
 Years to apply the Produce of such Revenue arising
 from that Act as are now appropriated to the discharge
 of the Old Bills of Credit to the charge of Surveying
 and laying out Townships, & to y^e purchasing of
 Tools, provisions and other necessaries for any poor
 Protestants that shall be desirous to settle in Our
 Said Province. We are graciously pleased to comply
 with the request of the Planters & Merchants in this
 Particular, and you are hereby empowered to give your
 Assent to a Clause in Some Act for suspending the first
 design of the aforementioned Act, and for applying the
 Said sinking Fund for the space of Seven Years to y^e
 purposes aforesaid. Provided always that the Assembly
 do pass an effectual Law to answer the purposes
 of the foregoing Instruction for Registering of Grants
 and regulating the future payment of Quit Rents in
 the manner therein directed, & that the Clause for
 this suspension be made part of the same Law. But
 you are to take care that a particular and distinct
 Account be kept of the Money so apply'd by an Officer
 to be by you appointed for that purpose, who shall
 An-

Annually transmit the same attested by you to the Commissioners of Our Treasury, or Our High Treasurer for the time being, and to Our Commissioners for Trade & Plantations. And which Accounts shall be first Audited by Our Auditor General of Our Plantations, or his Deputy for the time being.

21st But whereas great inconveniences have heretofore happened in So: Carolina from the issuing of large Sums of Paper Money, without sufficient Funds for the gradual repaying and cancelling y^e same: And whereas Several persons as well Merch^{ts} as Planters have lately represented to us the absolute necessity that some Paper Money should be allowed to have a Currency in Our said Province, under proper Regulations, as well for carrying on the Annual Services of Our Government there, as for daily circulation of Trade among the Inhabitants. Now being desirous to promote the welfare of the People under your Government: We have thought fit, and do hereby empower you, to give y^r Assent to an Act or Acts, for the Establisshing a new Paper Currency upon such a foot as may best answer the necessities of the Province, and be most conducive to the publick Utility thereof. But you are to take care that a Clause be therein inserted to suspend y^e Execution thereof until Our Royal Pleasure shall be known thereupon.

22^d And whereas great Mischiefs may arise, by passing Bills of an Unusual and extraordinary Nature & Importance in the Plantations, which Bills remain in force there from the time of Enacting, until Our Pleasure be signified to the contrary; We do hereby Will and Require you not to pass or give your Assent to any Bill or Bills in the Assembly of Our Said Province of unusual and extraordinary Nature and Importance wherein Our Prerogative or the Property of Our Subjects may be prejudiced or the Trade and Shipping of this Kingdom any ways affected. until you shall have first transmitted unto us the Draught of Such a Bill or Bills & shall have received Our Royal Pleasure thereupon. Unless you take care in the passing of any Bills of such nature as beforementioned, that there be likewise a Clause inserted therein Suspending, and deferring the Execution thereof until Our Pleasure shall be known concerning the same.

23^d And whereas Several Laws have formerly been Enacted in Several of Our Plantations in America, for so short a time that Our Assent or Refusal thereof could not be had thereupon before the time for which such Laws were Enacted did Expire You shall not therefore give your Assent to any Law, that shall be Enacted
for

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for a less time than two years, except in the cases mentioned in y^e foregoing 18th Article.

24 And Our further Will & Pleasure is, that you do not re-enact any Law to which the Assent of us or Our Royal Predecessors has once been refused wthout express leave for that purpose first obtained from us, upon a full Representⁿ by you to be made to us, and to Our Com^{rs} for Trade and Plantations of the reason and necessity for passing such Law, nor give your Assent to any Law, for repealing any other Law passed in your Government, whether the same has or has not received Our Royal Approbatⁿ unless you take care that there be a Clause inserted therein Suspending & deferring the Execution thereof until Our Pleasure shall be known concerning the same.

25th You are also to take care that no private Act whereby the Property of any private Person may be affected be passed in which there is not a Saving of the Right of us, Our Heirs & Successors all Bodies Politick and corporate and of all other persons except such as are mentioned in the Said Act, and those claiming by from or under them. And further you shall take care that no such Private Act be passed without a Clause Suspending the

the Execution thereof until the same shall have received Our Royal Approbation. It is likewise Our Will & Pleasure that you do not give your Assent to any Private Act until proof be made before you in Council (and entered in the Council Books) that publick notification was made of y^e parties intention to apply for such Act, in y^e Several Parish Churches where the Premises in Question lay, for three Sundays at least Successively before such Act was brought into the Assembly.

26th And that we may the better understand, what Acts and Laws are in force in Our said Province of South Carolina: You are with the Assistance of the Council to take care that all Laws now in force there, be revised and considered; And if there be any thing either in the matter or Style of them, which may be fit to be retrenched or altered; You are to represent the same unto us, with your Opinion touching the s^d Laws now in force (whereof you are to send a compleat body unto us, and to Our Com^{rs} for Trade and Plantations at y^e end of the first Session of Assembly after your arrival there) as they now are together with such Proposals for Alterations as you shall think requisite to the end Our Approbation or disallowance may

may be signified thereupon.

24th And We do hereby particularly require and enjoin you upon pain of Our highest displeasure to take care that fair Books of Accounts of all Receipts and Payments of all Publick Monies be duly kept, and the truth thereof attested upon Oath, and that all such Accounts be Audited and Attested by Our Auditor General of Our Plantations, or his Deputy who is to transmit Copies thereof to Our Commiss^{rs} of Our Treasury or to Our High Treasurer for the time being, and that you do every half Year or oftner send another Copy thereof attested by yourself to Our Commiss^{rs} for Trade and Plantations, and Duplicates thereof by the next Conveyance, in which Books shall be specified every particular Sum raised or disposed of, together with the Names of the persons to whom any Payments shall be made, to the end We may be Satisfyd of the right and due Application of y^r Revenue of Our Said Province, with the Probability of the increase or Diminution of it under every head or Article thereof.

28th And you are likewise to transmit Authentick Copies of all Laws, statutes and Ordinances, which at any time hereafter shall be made or Enacted with
in

in Our said Province, each of them separately under the publick Seal unto us as aforesaid, and to Our Commiss^{rs} for Trade and Plantations within three Months or sooner after their being Enacted, together with Duplicates thereof by the next conveyance upon pain of Our highest displeasure & of y^r forfeiture of that Years Salary, wherein you shall at any time, or upon any pretence whatsoever omit to send over the said Laws, Statutes and Ordinances as aforesaid, within the time above limited: as also of such other Penalty as we shall please to inflict. And you are hereby directed to take care that the Copies and Duplicates of the said Acts be fairly Abstracted in the margins. But if it shall happen that no Shipping shall come from Our said Province within three Months after the making such Laws, Statutes and Ordinances whereby the same may be transmitted as aforesaid, then the said Laws, Statutes and Ordinances are to be transmitted by y^r next conveyance after the making thereof, whenever it may happen for Our Approbation or Disallowance of the same.

29th And Our further Will and Pleasure is, that in every Act which shall be transmitted the several Dates or respective times when the same passed the Assembly, the Council and received Your Assent be particularly expressed. And you are to be as explicit as
may

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may be in your Observations (to be sent to Our Commissioners for Trade and Plantations) upon every Act that is to say, whether the same is introductive of a new Law: declaratory of a former Law: or does repeat a Law the before in being. And you are likewise to send to Our Said Commissioners the reasons for the passing of such Law unless the same do fully appear in the Preamble of the said Act.

30th You are to require the Secretary of Our Said Province or his Deputy for the time being, to furnish you with transcripts of all such Acts and publick Orders as shall be made from time to time together with a Copy of y^e Journals of the Council, and that all such transcripts and Copies be fairly abstracted in the Margins, to the end the same may be transmitted unto us and to Our Commissioners for Trade and Plantations as above directed, which he is duly to perform upon pain of incurring the Forfeiture of his Place.

31st You are also to require from the Clerk of the Assembly or other proper Officer transcripts of all Journals & other proceedings of the said Assembly, fairly abstracted in the Margins, to the end the same may be in like manner transmitted as aforesaid.

32^d Whereas Several inconveniencies have arisen

to Our Governments in the Plantations, by Gifts and Presents made to the Governors by the General Assemblies. You are therefore to propose unto the sd General Assembly, and use your utmost endeavour, that an Act be passed for raising and settling a publick Revenue for defraying the necessary charge of the Government of the said Province. And that therein Provision be particularly made for a competent Salary to yourself as Cap: General and Governor in Chief of the sd Province, and to any other succeeding Capt: General or Governor in Chief for supporting the Dignity of the said Office, as likewise due Provision for the Contingt charges of Our Council and Assembly & for the Salaries of the respective Clerks & other Officers thereunto Belonging. As likewise of all other Officers necessary for the Administration for that Government. And when such Revenue shall so have been settled and Provision made as aforesaid then Our Express Will and Pleasure is, that neither you the Governor nor any Gov^r, Counc^l, Gov^r, Commander in Chief, or President of the Council of Our sd Province of South Carolina for the time being, do give your or their consent to or pass any Act in Our said Province for any Gift or Present or for the Payment of any Money to you or them or to any of the Members of Our Council or to any other persons whatsoever, except to us, Our Heirs
and

and Successors, and for establishing fixed Salaries on
 you and other Officers as aforesaid without a Clause
 be inserted therein declaring that the same shall not
 take Effect until the said Act shall have been approved
 and confirmed by us, Our Heirs and Successors.

And that neither you nor they do receive any Gift
 or Present from y^r Assembly or others on any Ac-
 count or in any manner whatsoever, without Our
 Express Licence for that purpose first had and ob-
 tain'd upon pain of Our highest displeasure and of
 being recalled from that Government.

33^d And We do further direct and require that this
 declaration of Our Royal Will and Pleasure # # #
 # # # # # be communicated to y^r Assembly at their
 first meeting after your Arrival in that Province and
 Entred in the Journals of the Council & Assembly,
 that all persons whom it may concern may govern
 themselves accordingly.

34th And whereas for some years past the Gover-
 nors of some of Our Plantations have seized and
 appropriated to their own use the product of Whales
 of several kinds, taken upon those Coasts upon pretence
 that Whales are Royal Fishes, which tends greatly to
 discourage this Branch of Fishery in Our Planta-
 tions

hons and the preventing Persons from settling there. It is therefore Our Will and Pleasure, that you do not pretend to any such claim, nor give any manner of discouragement to the Fraternity of Our Subjects upon y^e Coast of the Province under your Govt, but on the contrary that you will give all possible Encourag^{mt} thereto.

35th And whereas great prejudice may happen to Our Service, and to the Security of Our sd Province by your Absence from those parts, you are not upon any pretence whatsoever to come to Europe without having first obtained Leave for so doing from Us, under Our Sign Manual and Signet, or by Our Order in Our Privy Council. Yet nevertheless in case of sickness, you may go to New York, or any other of Our Northern Plantations, and there stay for such a space as the Recovery of your health may absolutely require.

36th And whereas We have thought fit by Our Commission to direct that in case of your Death or Absence from Our Said Province, and in case there be at that time no person upon the Place commissionated or appointed by Us to be Our Lieut Governor or Commander in Chief the Eldest Councillor whose Name is first placed in these Our Instructions to you, and
who

who shall be at the time of your Death or Absence, residing within Our said Province of South Carolina shall take upon him the Administration of the Government and execute our said Commission and Instructions, and the several Powers and Authorities therein contained in the manner thereby directed. It is nevertheless Our Express Will and Pleasure, that in such case the said President shall forbear to pass any Acts but what are immediately necessary for the Peace and Welfare of Our said Colony, without our particular Order for that purpose. And that he shall not take upon him to dissolve the Assembly then in being, nor to remove or suspend any of the Members of Our said Council, nor any Judges, Justices of the Peace or other Officers, Civil or Military, without the consent of at least Seven of the Council. And the said President is to transmit to Us and to Our Commiss^y for Trade and Plantations by the first Opportunity the reasons for such Alterations signed by himself, and by Our Council

34 And whereas We are willing, in the best manner to provide for y^e Support of the Government of Our said Province by setting a part a sufficient allowance to such as shall be Our Lieut Governor, Commander in Chief or President of Our Council for the time being,

being within y^e same. Our will and Pleasure therefore is, that when it shall happen that you shall be absent from Our said Province, one full Moiety of the Salary, and of all Perquisites and Emoluments whatsoever which would otherwise become due unto you shall during the time of your Absence from Our said Province be paid and satisfi'd unto such Lieut: Governor, Commander in Chief or President of Our Council, who shall be resident upon the place for y^e time being, which we do hereby Order and allot unto him, towards his maintenance, and for the better support of the Dignity of that Our Government.

38th You are not to suffer any publick Money whatsoever to be issued or disposed of otherwise than by Warrant under your hand by and with the Advice and Consent of Our Council. But the Assembly may nevertheless be permitted from time to time to View & Examine all Accounts of Money or Value of Money disposed by Virtue of Laws made by them, which you are to signify unto them as there shall be Occasion.

39th Whereas it is necessary, that Our rights and Dues be preserved & recovered, and that Speedy & Effectual Justice be Administered in all cases relating to Our Revenue. You are to take care that a Court of Exchequer

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be called and do meet at all such times as shall be
needful. And you are upon your Arrival to inform us
and Our Commiss^{rs} for Trade to Plantat^s whether Our
Service may require, that a constant Court of Excheq^{er}
be settled and established there.

40th You shall not remit any Fines or Forfeitures
whatsoever above the Sum of ten pounds, nor dispose
of any Forfeitures whatsoever, until upon Signifying
unto Our Commiss^{rs} of Our Treasury or Our Highness
for the time being, and to Our Commiss^{rs} for Trade
and Plantations, the Nature of the Offence, and the
Occasion of such Fines and Forfeitures, with the
Particular Sums or Value thereof (which you are to
do with all Speed) you shall have received Our Di-
rections therein: But you may in the meantime
suspend the Payment of the said Fines and Forfeitures

41st It is Our Will and Pleasure that you do
not dispose of any Forfeitures or Excheats to any person
until the Sheriff or other proper Officer has made
Enquiry by Jury upon their Oaths into y^e true
Value thereof, And you are to take Care that the
Produce be duly paid to Our Rec^t General of Our
said Province and a full Account thereof trans-
mitted to Our Commissioners of Our Treasury or
Our

Our High Measures for the time being and to Our Commiss^{rs} for Trade & Plantations with the Names of the persons to whom disposed. And provided that in y^r Grants of all forfeited and Escheated Lands there be a Clause obliging the Grantee to plant and Cultivate 3 Acres for every 50 Acres within 3 Years after the passing of such Grant in case the same was not so cultivated and Planted before. And that there be proper savings and reservations of Just Rent to us Our Heirs & Successors according to the Laws and Customs of the Province.

42. Whereas great inconveniences have arisen in many of Our Colonies in America, from the granting excessive quantities of Land to particular persons, which they have never cultivated; And have thereby prevented others more industrious from Improving y^r same more particularly in South Carolina, where several persons claim a Right to many thousand Acres which they have not yet taken up. You are hereby directed to recommend to the Assembly of Our S^d Province to pass an Act or Acts whereby the owners of all Lands already granted by the Late Lords Proprietors, shall be obliged within a reasonable time to take Possessⁿ of and cultivate the Lands by them claimed on penalty of

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of forfeiture of such Right of Claim and to prevent
the like inconvenience for the future in all Grants of
Lands to be made by you by and with the advice and
Consent of this Council, you are to take especial care
that no grants be made to any person but in pro-
portion to his Ability to cultivate y^e same, and that
proper clauses be inserted for vacating the said Grant
or failure of Cultivation or Payment of y^e Quit Rents
reserved thereon. And as y^e most probable measure for
your Judgement in this particular will be to propor-
tion the Quantity of Land to the number of Persons
and Slaves in each Grantee's Family. You are hereby
directed not to Grant to any person more than 50 acres for
every white or Black Man, Woman or Child of which the
Grantee's Family shall consist at the time the Grant shall be
made. But in the laying out of all lands for the future
where such Lands shall be contiguous to Rivers you are to
take care that not above 1/2 part of the Land granted shall
border upon the River. that is to say, there shall be 4
Chains in depth backwards to every chain in front upon
the said River respectively and so.
in proportion for any larger quan-
tity, and that a free passage to and
from the said River be reserved for the use of all his Majesty's
Subjects

Subjects.

43. Whereas it has been found by long experience in Our Province of New Hampshire, & the Massachusetts Bay, that y^e settling of such Persons as were disposed to become Planters there in Townships, hath redounded very much to their Advantage; Not only with respect to y^e Assistance they have been able to afford each other in their Civil Concerns, but likewise with regard to the Security they have thereby acquired ag^t y^e Insults & Incursions of y^e neighbouring Indians. We have thought it for Our Service and you are hereby required to mark out & set apart Eleven Townships in Our y^e Province on y^e Banks of Rivers, at Sixty Miles distance from Charles Town, That is to say

2. Townships upon y^e River Alatomahama,

2. on y^e Savana River

1. on y^e Head of Annon River .

2. on Santee River

1. on Watry River

1. on Black River

1. on Peedee River &c.

1. on Wacomace River

11.

It is Our further Will & Pleasure, That each of these Townships do consist of 20,000 Acres of Land to be laid out

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out in Square piece of Ground, one side thereof to front
y^r respective Rivers, on which they shall be settled. In
each of these Townships, You shall mark out a proper
Place for y^r Situation of a Town contiguous to the River
where y^r Township lies, to consist of so many Lots,
and each Lot of such Quantity of Land as you shall
Judge convenient, and to each inhabitant at their first
Settling there, besides their respective Town Lots, You shall
Grant 50 Acres part of y^r abovementioned 20,000 for
every Man, Woman or Child, of which y^r Grantee's Family
shall consist, which Grants shall be Augmented from
time to time, as y^r Abilities of y^r respective Inhabitants
shall render them Capable of Cultivating more Lands al-
ways taking care to proportion y^r profitable & un-
profitable Land in each Grant & to mark y^r same out
in such manner, that every Grantee by y^r situation
of his Land may reap equal Advantage, of Access to
y^r River to w^{ch} y^r Township shall be contiguous, and
to y^r intent, that Land near y^r sd Townships may
not be wanting for y^r Convenience of y^r Inhabitants
as their Substance shall increase, no person except
y^r Inhabitants shall be allow'd to take up any Lands
within six Miles of y^r sd Townships respectively to
w^{ch} y^r sd Township shall be contiguous.

44. It is Our further Will and Pleasure, that each of these, together with all Lands on y^e same side of y^e River lying within six Miles of y^e sd Townships respectively, be erected into a distinct parish, and that when any of the sd intended Parishes shall have 100 Householders, they be Entitled to send two Members to Our Assembly, & to enjoy all such other Privileges as do of right, and common usage belong to other Parishes in Our said Province.

45. And as a further Encouragement to such persons as shall dispose to settle in these Townships. We are — Graciously pleas'd to allow y^e Inhabitants thereof a right of Common and Herbage in & through all such Lands contain'd within y^e Extent of y^e sd Townships respectively as shall not be taken up by particular Grants made to y^e sd Inhabitants. And that a quantity of Land not exceeding 300 Acres contiguous to y^e sd Town shall be set apart for a Common in perpetuity, to each of y^e said Towns, free from Lint Rent. And it is Our Will & Pleasure that you do with all convenient speed, lay out these Townships, and that no person claiming a right to take up Land in South Carolina by former Grants from y^e late sd Proprietors, be allowed to take up Lands within six Miles of these Townships by
Virtue

Virtue of Such Grants.

46. And whereas, We have been informed that y^r Number of white Men in Our said Province bears to a small proportion to that of y^r Blacks, which is not only a hindrance to y^r peopling, & settling the same, but may be also of dangerous Consequence from y^r Attempts of an Enemy, and even from an Insurrection of y^r Negroes. It is Our Will & Pleasure that you recommend in the Strongest Terms to y^r Assembly that they pass an Act giving, Suitable Encouragement to all who shall Import Serv^{ts} into the Province, either Men or Women; & as an Encouragement for white Servants to go thither. We are graciously pleased to allow you to grant fifty Acres of Land free of Quit Rent for ten Years to all white Servants, Men or Women who shall have served their Masters y^r whole time of their Agreement, and shall be willing afterwards to become Planters or Settlers in the S^d Province.

47. And whereas by Our Commission, you are empowered to settle & agree, by & with y^r Advice & Consent of Our S^d Council with y^r Inhabitants of Our said Province for such Lands & Tenements & Hereditaments as now are or hereafter shall be in Our Power to dispose of & them to grant to any Person or Persons upon such Terms, & under such moderate

Quit

Quit Rents Services & acknowledgments, to be there-upon reserved unto us, as you by y^r advice afores^d shall think fit. It is nevertheless, Our Will & Pleasure that you do not make any Grants of Land to any person whatsoever under a less Quit Rent than than four Shillings Proclamation Money for every Hundred Acres, except for y^r first Ten Years to White Servants as mentioned in y^r foregoing Article, and the like term for those who shall undertake to settle the eleven forementioned Colonships or any of them.

48. You shall not displace any of y^r Judges, Justices, Sheriffs, or other Officers or Ministers within Our s^d Province wth out good & sufficient Cause to be signified unto us, & to Our Commissioners for Trade & Plantations.

49. And to prevent Arbitrary removals of y^r Judges & Justices of the Peace, you are not to express any limitation of time in y^r Commissions, w^{ch} you are to grant, with y^r Advice & Consent of y^r Council of Our said Province to persons fit for those employments nor shall you Execute by yo^r self or by Deputy any of ye said Offices, nor suffer any person to Execute more Offices than one by Deputy.

50. You shall not erect any Court, or Office of Judicature, not before Erected, or Established, nor dissolve any Court or Office, already erected or Established without Our Especial Order.

51. You are to transmit to us, & to Our Comm^r for Trade & Plantations, with all convenient Speed, a particular Account of all Establishments of Jurisdiction, Courts, Officers, Powers, Authorities, Fees, and Privileges, grant & settled within Our Province, as likewise an Acc^t of all publick Charges relating to y^r sd Courts, and of all such Funds as are settled & appropriated to discharge the same, together wth exact, & authentick Copies of all proceedings in such Causes, where Appeals shall be made to us & Our Privy Council.

52. And whereas by An Act Entituled, An Act for Establishing An Agreement with Seven of the Lords Proprietors of Carolina, for y^r Surrender of their Title & Interest in that Province to His Majesty, passed in y^r 2^d Year of Our Reign, there is a saving, to all Persons claiming any Office or Place under Grant made before Jan^y 4th 1st 1724th under y^r Lords Proprietors Common Seal, of all rights to such Offices, or Places as they had at y^r time of of passing that Act, or
might

might have been Entitled to, in Case the sd Act had not been made. You are immediately upon your arrival in South Carolina, to make diligent Enquiry. what those Offices are? their several Values? how their profits arise? in what manner Executed? for what Term they are granted? And whether they or any of them are useful or hurtfull to the Province. And that we may be y^t better Appriz'd thereof. You are to send unto us, and to the Com^d for Trade & Plantations as aforesaid, Authentick Copies of all such Grants, together with y^r Explanations & Remarks thereon, in which You are to be very Explicit, to y^e end you may receive Our further Directions therein. But in y^e meantime You are to take Especial Care, that no Office or Place whatever, in Our said Province be Executed but by Commissⁿ to be granted by us - or by You Our Governor, & under the Seal of Our said Province.

53. And you are wth y^r Advice & Consent of Our Council to take Especial Care to regulate all Salaries & Fees belonging to Places, or paid upon Emergencies, that they be within y^e Bounds of Moderation. & that no Exaction be made on any Occasion whatsoever, As also that Tables of all Fees be publickly hung up in all places where such Fees are to be paid, and you are to transmit
Copies

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Copies of all such Tables of Fees to us, & to Our Commission
of Trade & Plantations as aforesaid.

54. And whereas frequent Complaints have been made
of great Delays & undue proceeding in y^r Courts of Justice
in Scot of Our Plantations, whereby many of Our good
Subjects have very much Suffered; And it being of y^r
greatest Importance to Our Service, & to the Welfare of Our
Plantations that Justice be everywhere Speedily & duly
Administred, And that all Disorders, Delays, & other un-
due practices in y^r Administration, thereof be effectually
prevented, We do particularly require You to take Special
Care that in all Courts where you are Authoriz'd to preside,
Justice be impartially Administred, And that in all other
Courts Established within Our sd province all Judges &
other persons therein concern'd do likewise perform their
several Duties, without Delay or partiality.

55. You are to take Care y^t no Court of Judicature be ad-
journed, but upon good Grounds; As also that no Orders of
any Court of Judicature be Entred or Allowed, which shall
not be first Read & approved of by y^r Magistrates in s^{pl}n
Court, which Rule you are in like manner to be Observ'd
with relation to the proceedings of Our Council of Soth
Carolina, And all Orders there made, be first read and
approved in Council, before they are Entred upon the
Council

Council Book

56. Whereas We are above all things desirous, that all Our Subjects may enjoy their legal Rights & Properties, you are to take Especial Care that if any Person be committed for any Criminal Matters (unless for Treason or Felony, plainly & Especially Express'd in y^e Warrant of Commitment) he have free Liberty to petition by himself, or otherwise the Chief Baron, or any one of y^e Judges of y^e Common Pleas, for a Writ of Habeas Corpus, which upon such application shall be granted & served on the Provost Marshal, Goaler, or other Officer having y^e Custody of such Prisoner, or shall be left at y^e Goal or Place where y^e Prisoner is confin'd. And y^e said Provost Marshal or other Officer shall within three Days after such service on y^e Petitioner paying y^e Fees & Charges, and giving Security (that he will not escape by the way) make return of y^e Writ & Prisoner before y^e Judge who granted out the said Writ, and there Certify y^e true Cause of the Imprisonment. And y^e sd Baron or Judge shall discharge such Prisoner taking his Recognizance & Surety for his Appearance at y^e Court, where the Offence is Cognizable & Certify y^e sd Writ & Recognizance into y^e Court unless such Offences Appear to y^e sd Baron or Judge not Bailable by y^e Laws of England.

54. And in Case y^e s^t Baron or Judge shall refuse to grant a writ of Habeas Corpus, on view of y^e Copy of Commitment, or Oath made of such Copy having been been denyd, the Prisoner or any person desiring y^e same in behalf, or shall delay to discharge the Prisoner after granting such writ, the said Baron or Judge, shall incur y^e forfeiture of his Place.

58. You are likewise to Declare Our Pleasure, that in case y^e Provost Marshal, or other Officer shall Imprison any person above two hours, except by a Writimus, setting forth the Cause thereof, he be removed from his Office

59. And upon the Application of any person wrongfully committed, the Baron or Judge shall Issue his Warrant to y^e Provost Marshal or other Officer to bring the Prisoner before him who shall be Discharged without Bail or paying Fees; And y^e Provost Marshal or other Officer refusing Obedience to such Warrant shall be thereupon removed. And if Baron or Judge denies his Warrant, he shall likewise incur y^e forfeiture of his place.

60. You shall give Directions y^e no Prisoner set at large by an Habeas Corpus be committed for the same Offence, but by y^e Court where he is bound to appear. And if any Baron, Judge, Provost Marshal or other Officer
Contrary

Contrary hereunto, shall recommit such Person so Bailed or Delivered. You are to remove him from his place. And if the Provost Marshall or other Officer having y^e Custody of the Prisoner, neglects to return y^e Habeas Corpus or refuses a copy of y^e Commitment within six hours after Demand made by y^e Prisoner, or any other in his behalf, he shall likewise incur the forfeiture of his Place.

61. And for y^e better prevention of long Imprisonments. You are to appoint two Courts of Oyer & Terminer to be held yearly, vizt. on y^e 2^d Tuesday in December and y^e 2^d Tuesday in June, the charge whereof to be paid by y^e publick Treasury of Our s^d Colony, not exceeding one Hundred Pounds each Sessions.

62. You are to take care that all Prisoners in Cases of Treason or Felony have free liberty, to petition in open Court for their Tryals; that they be Indicted at y^e first Court of Oyer & Terminer, unless it appear upon Oath, that y^e witnesses against them could not be produced, And that they be tryed the 2^d Court or Discharged, And y^e Baron or Judge upon Motion made y^e last Day of y^e Sessions in open Court shall discharge y^e Prisoner accordingly, And upon y^e refusal of y^e s^d Baron or Judge, & Provost Marshal or other Officer, to do their respective Duties herein, they shall

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shall be removed from their Places.

63. Provided always that no Person be Discharg'd out of Prison, who stands Committed for Debt by any Decree of Chancery or any legal Proceeding of any Court of Record.

64. And for the preventing of any Exactions that may be made upon Prisoners you are to Declare Our Pleasure that no Baron or Judge shall receive for himself or Clerks, for granting a Writ of Habeas Corpus more than £-6 And y^e Sum for taking a Recognizance. And that y^e Provost, Marshal or other Officer shall not receive more than 5^s for every Commitment 1. 3^s for y^e Bond y^e Prisoner is to Sign 1. 3^s for every Copy of a Mitimus, and 1. 3^s for every mile he bringeth back y^e Prisoner.

65. And further you are to Cause this Our Royal Pleasure Signify'd to you by y^e 10th Article of Instructions immediately preceding, this to be made publick, and Registered in the Common Council Books of Our said City.

66. You are for the better Administration of Justice to endeavour to get a Law pass'd (if not already done) wherein shall be set y^e Value of Men's Estates, either in goods or lands, under which they shall not be capable of serving as Jurors.

67. You are to take care that no Mans Life, Member,
Free.

Freehold or Goods be taken away or harmed in Our Said Province, otherwise than by Establish'd or known Laws, not repugnant to but as near as may be agreeable to y^e Laws of this Kingdom. And that no persons be sent Prisoners to this Kingdom for Our sd Province without sufficient proof of their Crimes, and that Proof transmitted along with y^e sd Prisoners.

68. You shall endeavour to get a Law pass'd (if not already done) for y^e restraining of any Inhumane Severity, which by ill Masters or Overseers may be used towards their Christian Servants & their Slaves. And that Provision be made therein, that the wilful killing of Indians & Negroes may be punished with Death & that a fit Penalty be imposed for y^e Maiming of them.

69. You are take care that all Writs within Our Said Province be issued in Our Name.

70. You shall take care with y^e Advice and Assistance of Our Council, that all Court Houses, & other public Buildings & Especially Prisons that want Reparation, be forthwith repaired, & put into, & kept in such a Condition as is proper & necessary for y^e holding of Courts, keeping Offices & securing the Prisoners that are or shall be there in Custody.

71. Our Will & Pleasure is, that Appeals be ^{Printed}

mitted to be made in Cases of Error, from y^r Courts in
Our s^d Province, unto you & y^r Council there, in Civil
Causes, Provided the Value Appeal'd for, do exceed the sum
of One hundred Pounds Sterling, & Security be first
given by y^r Appellant, to answer such Charges as shall
be Awarded, in case the first Sentence shall be affirmed
Provided also that if any of y^r said Council shall at
that time be Judge of y^r Court from whence such
Appeal shall be made to you Our Governor & Council,
or to y^r Commander in Chief for the time being & Council
such Councilors, or Councillors shall not be admitted
to vote upon y^r said Appeal; But he, or they, may —
nevertheless be p^rsent at y^r hearing thereof to give y^r
reasons of y^r Judgment given by him or them, in y^r
Cause wherein such Appeal shall be made.

y². And if either party shall not rest Satisfied with
y^r Judgment of you, or the Commander in Chief, for
the time being, & Council as aforesaid, Our Will &
Pleasure is that they may then Appeal unto us
in Our Privy Council, Provided y^r Sum or Value
so Appealed for unto us, do not exceed y^r real
Value & Sum of three hundred pounds Sterling; And
that such Appeal be within fourteen Days after Sen-
tence, and good Security be given by y^r Appellant,
that

that he will effectually prosecute y^e same, & answer y^e Condemnation as also pay such Costs & Damages as shall be awarded by us in Case of Sentence of y^e or y^e Commander in Chief for y^e time being & Council be affirmed. And it is further Will & Pleasure, that in all cases whereby y^e Instructions. You are to admit Appeals unto us in Our Privy Council, Execution be suspended until the final Determination of such Appeal, unless & sufficient Security be given by y^e Appellee to make ample Restitution of all y^e y^e Appellant shall have lost by means of such Judgment or Decree, in case upon y^e Determination of such Appeal, such Judgment or Decree should be reversed & Restitution awarded to the Appellant. And you shall cause this Declaration of Our Will & Pleasure to be forthwith entered upon y^e Council Books of Our sd Province y^t all parties may govern themselves accordingly.

y^e 3. You are also to permit Appeals unto us in Council in all cases of Fines imposed for Misdemeanors provided the Fines so imposed amount to, or exceed the Sum of One hundred Pounds Sterling, the Appellant first giving good Security, that he will effectually prosecute y^e same, and answer y^e Condemnation, if y^e

Source

sentence by which such Fine was imposed in South Carolina shall be confirmed.

Yth. Whereas, there are several Offices within Our ^{sa} Province granted under the Great Seal of Great Britain and that Our Service may be very much prejudiced by reason of y^r Absence of the Patentees and by their Appointing Deputies not fit to Officiate in their Steads You are therefore to Inspect y^r sd^l Offices, and enquire into y^r Capacity & Behaviour of y^r Persons exercising them, & to Report thereupon to Us & to Our Commissioners for Trade & Plantations. What you think to be done, or altered in relation thereunto. And you are upon y^r Misbehaviour of any of y^r sd^l Patentees or their Deputies, to suspend them from the Execution of their Places, till you have represented the whole matter unto Us, & rec^d Our Directions therein; And in Case of y^r Suspension of any such Officer, It is Our Express Will & Pleasure, that you take care, that y^r Person appointed to Execute the Place during such Suspension, do give sufficient Security to y^r Person suspended, to be answerable to him for y^r profits accruing, during, such Suspension, in case we shall fit to restore him to his place again. It is nevertheless Our Will & Pleasure that the Person Executing, y^r place during,

during such Suspension, shall for his Encouragement receive y^e same Profits as the Person Suspended (if a Deputy) did, or a moiety of y^e Profits in case of Suspension of y^e Patente; But you shall not by Colours of any Power or Authority hereby, or otherwise granted, or mentioned to be granted unto you, take upon you to give, grant or Dispose of Place or Office with in y^e said Province, which now is or shall be granted, under the Great Seal of this Kingdom, any further, than that you may, upon y^e Vacancy of any such Office or Place or upon y^e Suspension of any such Officer by you as aforesaid, put in any fit Person to Officiate in y^e Interval, till you shall have Represented the Matter unto us, and to Our Commissioners for Trade & Plantations, as aforesaid (which you are to do by y^e first Opportunity) and till y^e s^d Officer or Place be disposed of by us. Our Heirs or Successors under y^e Great Seal of this Kingdom, or that Our further Directions be given therein, And it is Our Express Will & Pleasure, that you do countenance, and give all due encouragement to all Our Patent Officers in y^e enjoyment of all their legal & accustomed Fees, Rights, Privileges & Emoluments, according to y^e true intent & meaning of their Patents.

45. And whereas Orders have been given, for Commissionating fit Persons to be Officers of Our Admiralty & Customs in Our several Plantations in America, And whereas it is of great Importance to the Trade of this Kingdom, & to the Welfare of Our Plantations, that all illegal Trade be prevented & Suppressed. You are therefore to take Especial Care, that the Acts of Trade & Navigation, be duly put in Execution, and in Order thereunto, You are to give constant Protection, & all due Encouragement to y^e sd Officers of Our Admiralty & Customs in a due Execution of their respective Offices & Trusts in Our said Province, under y^e Government.

46. And whereas se^{ve} Complaints have been made by y^e Su^{pe} Gen^l & other Offic^{rs} of Our Customs in Our Plantations in America, that they are frequently obliged to serve in Juries & p^{er}sonly to appear in Arms, whenever y^e Militia is drawn out, & thereby are much hindered in y^e Execution of their Employments Our Will & Pleasure is that you shall take effectual Care, & give y^e necessary Directions that y^e se^{ve} Officers of Our Customs to be excused & exempted from serving on any Juries, or personally appearing in Arms, in y^e Militia, unless in case of absolute

absolute necessity or serving an Parochial Offices which may hinder them in yr Execution of their Duties.

44. And whereas as yr Survey^r General of Our Customs in yr Plantations are impow^{er}d in Cases of yr Vacancy of any of yr Officers of Our Customs by Death, Removal or otherwise, to appoint other persons to execute such Offices, until they receive further Directions, from Our Commiss^r of Our Treasury Or Our High Treasurer, or Commiss^r of Our Customs for yr time being, But in regard yr Districts of yr SA Survey^r Gen^l are very extensive & that they are requir^d at proper times to visit yr Officers in yr sev^l Governments under their Inspection, and that it may happen, that some of yr Officers of Our Customs in yr Province of South Carolina may Dy^e at yr time when yr Suro^r Gen^l is Absent in some Distant part of his District so that he cannot receive advic^e of such Officers Death within a reasonable time: & thereby make provision for carrying on yr service by appointing some other Person in yr Room of such Officer who may happen to Dy^e. therefore that there may be no Delay given on such Occasions to yr Masters of yr Ships or Merch^{ts} in their Dispatches. It is Our further will & Pleasure in case of such Absence of yr

Sars

Suro: General or if he should happen to Dy: and in such case only, that upon y^r Death of any Collector of Our Customs within that Our Province; you shall make choice of a person of Known Loyalty, Experience, Diligence & Fidelity to be employed in such Collectors room for y^r purposes aforesaid, until y^r Suro: Gen^l of Our Customs shall be advised thereof, & appoint another to succeed in their Places, or y^t further Directions be given therein, by Our Comm^{rs} of Our Treasury or Our High Treasurers, or by y^r Comm^{rs} of Our Customs for y^r time being, which shall be first signified, taking care, that you do not under p^rtenee of this Instruction, interfere with the Powers & authorities given by y^r Comm^{rs} of Our Customs to y^r S^t Suro: Gen^l when he is able to put y^r same in Execution

Y^s. You shall Administer or cause to be Administered y^r Oaths appointed in y^r afores^d Act. Entituled An Act for y^r further Security of His Majesty & Government, & the Succession of the Crown in y^r Heirs of y^r late Princess Sophia, being Protestants, & for Extinguishing y^r hopes of the p^rtended Prince of Wales & his open & secret Abettors, to y^r Members & Officers of Our Council & Assembly, and all Judges, Justices & other persons, y^t holds any Office or place of

Trust, or profit in Our sd Province, whether by Virtue of any Patent under Our Great Seal of Great Britain or y^r Puback Seal of Our sd Province of South Carolina or otherwise: And you shall also cause them to make & subscribe the aforesd Declaration, without y^r doing of all which, you are not to admit any p^{son} what-soever into any Publick Office, nor suffer those that have been admitted formerly to continue therein.

49. You are to p^{mit} a Liberty of Conscience to all p^{sons} (except Papists) so as they be contented with a quiet & peaceable enjoyment of y^r same, not giving Offense or Scandal to y^r Government.

50. You shall take especial care, that God Almighty be devoutly & duly served thro^{ut} out y^r Government; the Book of Common Prayer as by Law established read each Sunday & Holiday & y^r Blessed Sacrament Administred according to y^r Rites of y^r Church of England.

51. You shall take care that y^r Churches already Built there, be well & Orderly kept, & that more be Built, as y^r Province, shall by Gods Blessing, be Improved, And that besides a competent Maintenance to be assignd to y^r Minister of each Uthodox Church, a convenient House be built at y^r common Charge for each Minister, & a Competent Proportion
of

Land assigned him for a Glebe & exercise of his Industry.

82. And you are to take care that y^r Parishes be so limited & settled as you shall find most convenient for accomplishing this good.

83. You are not to prefer any Minister to any Ecclesiastical Benefice in that Province without a Certificate from y^r Rt Reverend Father in God the Lord Bishop of London, of his being conformable to y^r Doctrine & Discipline of y^r Church of England and of a good Life & Conversation; And if any Person already preferred to a Benefice, shall appear to you to give Scandal, either by his Doctrine or Manners, you are to use y^r proper & usual Means for y^r Removal of him, & to supply y^r Vacancy in such a manner as we have Directed.

84. You are to give Orders forthwith (if y^e same be not already done) that every Orthodox Minister within y^or Government be one of y^r Vestry in his respective Parish, and that no Vestry be held without him, except in case of Sickness, or that after Notice of a Vestry Summons he omit to come.

85. You are to Enquire, whether there be any Minister within y^or Governm^t who preaches & administers y^e Sacram^{ts} in any Orthodox Church or Chappel, without
-being

being in due Order, & to give an Acct thereof to y^r Lt Bishop of London.

86. And to the end y^r Ecclesiastical Jurisdiction of Lord Bishop of London may take place in that Our Province, so far as conveniently may be, we do think fit that you do give all countenance & Encouragement, to y^r Exercise of y^r same, excepting only y^r Collating to Benefices, granting Licences for marriages & Probate of Wills, which we have reserved to you Our Governor & to y^r Commander in Chief, of Our Province for the time being, as far as by Law we may.

87. And we do further Direct, that no Schoolmaster be henceforward permitted to come from this Kingdom and to teach School in that Our Province, without y^r Licence of the sd Lt Bishop of London & that no other Person now there, or that shall come from other parts shall be admitted to keep School in South Carolina, with y^r Licence first obtained.

88. And you are to take special care that a Table of Marriages, established by y^r Canons of y^r Church of England be hung up, in every Orthodox Church and duly observed, and you are to endeavour to get a Law pass'd in y^r Assembly of that Province (if not already done) for the strict Observation of y^r sd

St. Jables.

89. Having been Graciously pleased to Grant to yr
Right Reverend Father in God, Edm^d L^d Bishop of London
a Commissⁿ under Our Great Seal of Great Britain
whereby he is impow^{er}ed to Exercise Ecclesiastical
Jurisdiction, by himself, or by such Commissaries as he
shall appoint in Our Scot Plantations in America.
It is Our will & Pleasure, that you give all Coun-
ance & due Encouragement to the sd Bishop of London or
his Commissaries in the legal Exercise of such Ec-
clesiastical Jurisdiction according to yr Laws of yr
Province under yr Government, and to yr Oaths &
yr sd Commission, a Copy whereof, is herunto annexed
and that you do cause yr sd Commission to be forthwith
Registered in yr publick Records of that Our Province

90. The Right Reverend Father in God, Edmund,
Lord Bishop of London having presented a Petition
to his sd late Majesty, humbly beseeching him to
Send Instructions to yr Gov^{rs} of all yr Scot Plants.
tions in America, that they cause all Laws already
made against Blasphemy, Profaneness, Adultery, Forn-
ication, Polygamy, Incest, Profanation, of yr Lords Day,
Swearing, & Drunkenness, in their respective Govern^{ts}
to be vigorously executed, And we thinking it highly
just

just, that all persons who shall offend in any of y^e
 particulars aforesaid, should be prosecuted & punished
 for y^e s^e offences. It is therefore Our Will & Pleasure
 that you do take due care for y^e punishment of
 y^e forementioned Vices. And that you earnestly
 recommend to y^e Assembly of South Carolina to pro-
 vide effectual Laws, for y^e Restraint & Punishment
 for all such of y^e aforesaid Vices, against
 which no Laws, are as yet Provided, And also you
 are to use your endeavours to render the Laws in being
 more effectual. by providing for y^e Punishment of
 y^e aforesaid Vices by presentment upon Oath
 to be made to y^e Temporal Courts by y^e Churchwardens
 of y^e several Parishes, at proper times of y^e Year
 to be appointed for that purpose. And for y^e further
 Discouragement of Vice, & encouragement of Virtue,
 and good living, that by such example y^e Infidels may
 be invited & persuaded to embrace y^e Christian Reli-
 gion: You are not to admit any person to publick
 Trusts & Employments in y^e Province under y^e
 Government whose ill Fame & Conversation may oc-
 casion Scandal, And it is Our further Will & Plea-
 sure, that you recommend to y^e Assembly to take
 upon prop^r Methods for y^e erecting & maintaining
 of

of Schools, in Order to y^r training up of Youth to Reading, & to a necessary Knowledge of the Principles of Religion. And you are also with y^r Assistance of y^r Council & Assembly to find out the best means to facilitate, and encourage y^r Conversion of Negroes, and Indians to y^r Christian Religion.

¶ And whereas there is great reason to believe that y^r Indians on y^r Frontiers of South Carolina, who have of late years fallen off from y^r British Interest there have been in some measure provoked thereto, by y^r Injustice & ill-usage, which they have recd from this Subject in Your Government, And it being highly necessary for y^r Welfare of Carolina that a good understanding should be maintained with y^r Indian Nations, as well for y^r promoting of Trade, as for y^r Security of y^r Frontiers of y^r Government. You are hereby particularly enjoined to use all possible ways & means for regaining the Affections of y^r S^d Indians & to preserve a good Correspondence with such of them as remain faithfull to Our Interest but especially with the Cherokee Inhabiting y^r Mountains on y^r Northwest Side of y^r S^d Province of South Carolina And you are likewise hereby directed to recommend in y^r Strongest Terms to y^r Indian Traders to be Just & Reasonable in their Dealings, with y^r native Indians
and

and likewise to propose to y^r Assembly, if You & Our Council there shall judge it necessary to pass one or more Laws for y^r better regulation of y^r sd Indian Trade & for y^r encouragement & protection of such Indians as shall adhere to Our Intreat.

Q2. You shall send to us & to Our Comm^r for Trade & Plantations by y^r first Conveyance an Acct of y^r present Number of Planters & Inhabitants, Men, Women & Children, as well Masters as Servants, free & un-free & of y^r Slaves in Our said Province; as also a yearly Acct of y^r increase or decrease of them, & how many of them are fit to bear Arms in y^r Militia of Our sd Province.

Q3. You shall also cause an Exact Acct to be kept of all Persons. Born, Christed & Buried, and send yearly fair Abstracts thereof to us, and to Our Commissioners for Trade & Plantations as aforesaid.

Q4. You shall take care that all Planters, Inhabitants & Christian Serv^{ts} be well & fitly provided with Arms, & that they be listed under good Officers and when & as often as shall be thought fit, mustred & trained, whereby they may be, in better readiness for y^r Defence of y^r sd Province. And for y^r greater security thereof, You are to appoint fit Officers & Comm^r in y^r several Parts of that Province bordering upon the
Indians

Indians, who upon any Invasion, may raise men & arms to oppose them until they shall receive yo^r Directions therein.

95. But you are to take especial care that neither yo^r frequency, nor unreasonableness of remote Marches, Muster, or Stainings, be an unnecessary impediment to the Affairs of the Inhabitants.

96. And you shall not upon any Occasion whatsoever, establish, or put in Execution any Articles of War or other Law Martial upon any of Our Subjects, Inhabitants of the said Province, without yo^r Advice & Consent of Our said Council there.

97. And whereas you will receive from Our Com^{mt}. for Executing yo^r Office of High Admiral of Great Britain & of yo^r Plantations, a Commission Constituting you Vice Admiral of Our said Province. You are hereby required & Directed carefully to put in Execution the several powers thereby granted you.

98. Whereas great inconveniencies have happened by Merchant Ships & other Vessels in yo^r Plantations wearing yo^r Colours born by Our Ships of War, under pretence of Commissions granted to them by yo^r Governors of yo^r said Plantations, & that by trading under those Colours not only among Our Own Subjects, but also those of other Princes & States. And committing
divers

disorder Irregularities, they did very much dishonour
 Our Service for p^rservaⁿ whereof, you are to oblige
 y^r Commanders of all ships, to whom you shall
 grant Commis^s to wear no other Jack than accord-
 ing to y^r sample here described, that is to say.
 such as is worn by Our Ships of War wth y^r Distin-
 tion of a White Escutcheon in y^r middle thereof. And
 that y^r sd mark of Distinction may extend itself to one
 half of y^r depth of y^r Jack & one third of y^r Fly thereof.

99. And whereas there have been Great Irregularities
 in y^r manner of granting Commis^s in y^r Planta-
 tions to Private Ships of War, you are to Govern your
 self, whenever there shall be Occasion, according to y^r
 Commissions and Instructions granted in this King-
 dom, Copies whereof will be herewith delivered to you.

100. But you are not to grant Commissions of
 Marque or Reprisal against any Prince or State, or
 their Subjects in Amity with us, to any Person
 whatsoever, without Our Especial Command.

101. You are to Demand an Account from all
 Persons concern'd of y^r Arms, Ammunition &
 Stores, sent unto Our sd Province, from Our
 Office of Ordnance here, as likewise what other
 Arms, Ammunition & Stores have been bought wth
 y^r

4th Public Money for y^r Service of Our said Province & how
 y^e same have been Employ'd, And whether any of them, or how
 many of them have been Sold, spent, lost, Decayed, or dispos'd
 of, & to whom & to what uses, w^{ch} Acct is to commence
 from y^r time, that Gen^l Nicholson left y^r Province. And
 you are to Transmit y^r said Account to us, and to Our
 Commissioners for Trade & Plantations.

102. You shall take an Inventory of all such Arms
 Ammunition & Stores as are remaining in any of Our
 Magazines, or Garrisons in Our s^d Province, under
 Yo^r Government, And transmit y^r same to us & to Our
 Commiss^{rs} for Trade & Plantations wth all convenient
 Speed, And y^r like Inventory afterwards, half yearly,
 as also a Duplicate thereof, to Our Master Gen^l or
 Principal Offic^r of Our Ordnance, which Accts are
 to Express the Particulars of Ordnance, Carriages,
 Ball, Powder, & all other Sorts of Arms, & Ammunition
 in Our Publick Stores, & so from time to time, if
 w^t shall be sent to you, or bought wth y^r Publick
 Money, & to specify y^r time of y^r disposal, & y^r Acc^{ts}
 thereof.

103. And you are to take especial care that fit
 Storehouses be settled in y^r Province for receiving &
 Keeping of Arms, Ammunition & other Publick Stores.

104. And whereas it is absolutely necessary that we be exactly inform'd of y^r State of Defence of all Our Plantations in America in every Respect, and more especially wth relation to y^r Forts & Fortifications that are in each Plantation, and what more may be necessary to be built for y^r Defence & Security of the same. You are so soon as possible after y^r arrival in South Carolina, to prepare an Acc^t thereof, with respect to Our sd Province in y^r most particular manner, and to transmit y^r same to us, & to Our Commissioners for Trade & Plantations & y^r like Acc^{ts} afterwards yearly.

105. You shall cause a Survey to be made of all y^r considerable Landing places & Harbours in Our sd Province, And with y^r Advice of Our Council there, Erect in any of them such Fortifications as shall be necessary for the Security & Advantage of y^r said Province, w^{ch} shall be done at y^r Publick Charge. And you accordingly to move y^r General Assembly to y^r passing of such Acts as may be requisite for y^r carrying on of that work. wherein We doubt not of their cheerful concurrence for common Security & Benefit they will receive thereby.

106. Whereas We have been informed that the
Fort

Fort at Alatomahama hath been deserted, and that the Detachment of Independent Company appointed to Guard the same, is retired to Port Royal. It is Our Will & Pleasure, that you do forthwith detach a sufficient Number of Men from Our said Independent Company to keep constant Guard at y^e sd Fort: But if upon enquiry you shall find y^e sd Fort demolished or you do conceive that a Fort might be erected in any other place more healthful & equally sufficient the Embouchure & Navigation of y^e River Alatomahama. You are hereby empowered to alter the situation thereof, but in all cases, You are to take effectual care that a Fort be repaired or erected, & always kept in sufficient repair, capable to answer the aforementioned purpose, for securing the Navigation of y^e said River.

107. You are from time to time, to give an Acc^t as before directed, what Strength y^e neighbours have (be they Indians or others) by Sea, & Land, and of y^e Condition of their Plantations & wth Correspondence, you do keep wth them.

108. And in case of Distress of any other of Our Plantations, You shall upon Application of y^e respective Governors thereof to You, Assist them wth what aid y^e Condition & Safety of Our Province under y^e Govern^{mt} Can spare.

109. You shall transmit unto us, & to Our Com^{rs}

missioners for Trade & Plantations by y^r first Opportunity a Map, with an exact Description of the whole Province under y^r Government, with y^r sev^l Plantations upon it, & of y^r Fortifications, and as also, of the bordering Spanish & Indian Settlements.

110. And in Order to prevent any Disputes that may arise abt y^r Northern Boundaries of Our Province under Your Government. We are Graciously pleased to signify Our Pleasure, that a line shall be run (by Comm^{rs} appointed by each Province) beginning at y^r Sea 30 Miles distant from y^r Mouth of Cape Fear River on y^r Southwest thereof keeping the same Distance from y^r St. River as y^r Course thereof runs, to y^e main source or Head thereof; And from thence y^r said Boundary Line shall be continued due West, as far as y^r South Sea. But if Wap^o Maw River lies within 30 Miles of Cape Fear River, then that River to be y^r Boundary from y^r Sea to y^r Head thereof, & from thence to keep y^r Distance of 30 Miles parallel from Cape Fear River to y^r Head thereof, & from thence a due West Course to y^r South Sea.

111. You are to examine what Rates & Duties are Charg'd & payable upon any Goods Exported & Imported within

within Our said Province, whether of y^e Growth or Manufacture of Our said Province And you are to suppress the engrossing of Commodities, as tending to the Prejudice of that freedom which Trade and Commerce ought to have, and to use your best endeavours in Improving y^e Trade of those parts by settling such Orders & Regulations therein, with y^e Advice of Our said Council, as may be most acceptable to the generality of y^e Inhabitants.

112. You are to give all due Encouragement & Invitation to Merchants & others who shall bring Trade unto Our said Province, or any way contribute to the Advantage thereof, and in particular to y^e Royal African Company, & others, Our Subjects Trading to Africa, And as we are willing to recommend unto y^e said Company other Our Subjects, that y^e said Province may have constant & sufficient Supply of Merchantable Negroes at Moderate rates in Money or Commodities, so you are to take especial care that Payment be duly made, & within a competent time according to their respective Agreements.

113. And whereas y^e said Company and other Traders having frequently great Sums of Money owing to them in Our Plantations in America, have been much hindered in

in recovery of their just Debts there, & discourag'd in their Trade by y^e too frequent Adjournm^t of Courts; And it being absolutely necessary, that all obstructions in the Course of Justice, be effectually removed, You are to take care, that Courts of Justice, be duly & frequently held in Ur Province under Your Government, so that all Ur Subjects in y^e S^d Province & particularly the Royal African Company & others Trading to Africa may enjoy y^e Benefit thereof, and not receive any undue Hindrance in y^e Recovery of their just Debts.

114. Whereas Sev^l Merchants of Great Britain Trading to South Carolina have complained that by certain Acts of Assembly now in force in y^e said Province, Duties are imposed upon Negroes Imported there, and made payable by the Importer, to y^e discouragement of y^e said Trade and have desired the S^d Duties may for y^e future be made payable by y^e Purchasers & not by y^e Importer, Submitting nevertheless that y^e Importer or his Factor shall be Security to y^e Publick for y^e Paym^t of y^e said Duty in case of y^e Purchasers failure. It is Ur Will & Pleasure that you endeavour to get a Law pass'd for explaining & altering the Laws for Collecting of y^e S^d Duties on Negroes agreeable to the Desire of y^e Merchants.

115. And we do further expressly Command & require You to give unto us, & to Our Commissioners for Trade & Plantations, an acct every half year of what number of negroes Our said Province is supplied with, that is, what number by y^e African Company & wt by y^e separate Traders & at wt Rates sold.

116. Whereas we have been informed that during y^e times of war, Our L^{ts} have frequently got Intelligence of y^e State of Our Plantations, by Letters from Private Persons to their Correspondents in Gr^t Britain, taken on Board Ships coming from the Plantations, which has been of dangerous Consequence. Our Will & Pleasure therefore is, that you signify to all Merchants, Planters & others that they be very cautious in times of war, whenever that shall happen in giving any acct by Letters of y^e Publick State & Condition of Our Province of South Carolina; And you are further to give directions to all masters of Ships or other Persons to whom you may Intrust your Letters, that they put such Letters into a Bag, with a sufficient Weight to sink y^e same immediately in case of imminent Danger from y^e Enemy. And you are always to let y^e Merchants & Planters know how greatly it is for their Interest, that their Letters shall not fall into y^e Hands of y^e Enemy, And therefore that they should get
y^e.

Y^r like Orders to Mas^r of Ships in relation to their Lett^r
And you are further to Advise all Masters of Ships that
they do sink all Letters in case of Danger, in the man-
ner before mentioned.

117. And whereas in Y^r late wars, the Merchants and
Planters in America, did Correspond & Trade with Y^r
Enemies, & carry Intelligence to them, to Y^r great prejudice,
and Hazard of Y^r British Plantations; You are therefore, by
all possible Methods to Endeavour to hinder all such
Trade and Correspondence in time of War.

118. Whereas by Y^r 5th & 6th Articles of Y^r Treaty of
Peace & Neutrality in America, concluded between Eng-
land & France the 4th Day of Nov^r 1686. The Subjects &
Inhabitants of each Kingdom are prohibited to Trade
& Fish in all places possessed, or w^{ch} shall be possess-
ed by Y^r other in America. And that if any Ships
shall be found Trading contrary to Y^r said Treaty,
upon due proof, the said ship shall be confiscated
But in case the Subjects of each King shall be forced
by Stress of Weather, Enemies, or other necessity, into
Y^r Ports of Y^r other in America, they shall be treated with
Humanity and Kindness, and may provide themselves wth
Victuals & other things necessary for their Sustenance
& Reparation of their Ships at reasonable rates provided
they

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they do not break Bulk, nor carry any of their Goods out of their Ships exposing them to Sale, nor receive any Merchandise on Board, under Penalty of Confiscation of Ship & Goods. It is Our Will & Pleasure that you signify to Our Subjects under your Government, y^e purpose & Intent of y^e above^d two articles, And you take particular care, that none of y^e French Subjects be allowed to Trade from their s^d Settlements to Carolina, or Fish upon y^e Coasts therefore.

119. Whereas Commissions have been granted unto several Persons in Our respective Plantations in America for y^e trying of Pirates in those parts, pursuant to y^e s^d Acts for y^e more effectual Suppression of Pirates, And by a Commission already sent to Our Province of South Carolina, You as Capt Genl & Governor in Chief of Our s^d Province, are Empow^{er}d together wth others therein mention^d to proceed accordingly, in reference to y^e s^d Province of South Carolina, Our Will & Pleasure is, that in all matters relating to Pirates, You govern y^or self according to y^e Intent of y^e s^d Acts & Commiss^on aforesaid.

120. Whereas We have thought it necessary for Our Service, by Our Commission bearing date y^e 9th Day of Aug^t 1727. to Constitute, Authorize & Appoint
Robert

Robert Byng. to be Our Rec^d Gen^l of y^r Rights & perquisites of y^r Admiralty. We do Direct & Appoint y^t you be aiding & assisting to y^r S^t Rob. Byng his Deputy or Deputies in the Execution of y^r S^t Office of Receiver General, and do hereby enjoin & require you, to make up Your Accts with him, his Deputy, or Deputies of all Rights of Admiralty (Effects of Pirates included) as you or y^r Officers shall or may at any time receive, and to pay over to the S^t Rec^d Gen^l his Deputy or Deputies for Our use, all such sum or sums of Money as shall appear upon y^r foot of such Accts to be, and remain in y^r hands of any of y^r Officers. And whereas y^r S^t Robt Byng in case y^r Parties chargeable wth any part of such Our Revenue refuse, neglect, or delay payment thereof, by himself or sufficient Deputy to apply in Our Name to Our Gov^r, Judges, Attorneys, Gen^l or any other Our Officers, or Magistrates, to be aiding or assisting to him in recovering the same. Now know you, Our Governor, Our Judges, Our Attorneys General, and all other Our Officers whom the same may concern, are hereby required to use all lawfull Authority for y^r recovering & levying thereof.

121. You are to propose an Act to be passed in y^r Assembly, whereby y^r Creditors of p^{er}sons becoming —
Bank.

Bankrupts in this Kingdom, and having Estates in South Carolina may be relieved & satisfied for y^e Debt owing to them.

122. You are likewise from time to time to give unto us & to Our Commissioners for Trade & Plantations as aforesaid, an Account of y^e Wants & Defects of Our ^{sa} Province. What are the chief Products thereof. What new Improvements are made therein by y^e Industry of y^e Inhabitants or Planters, and what further Improvements You conceive may be made, or advantages gained by Trade, and which way we may contribute thereunto.

123. If anything shall happen which may be of Advantage & Security of Our ^{sa} Province which is not herein or by Our Commission provided for. we hereby allow unto you, with y^e Advice & Consent of Our ^{sa} Council, to take Order for y^e present therein, giving in to us, by One of Our Principal Secretaries of State, and to Our ^{sa} Commissioners for Trade & Plantations speedy Notice thereof, that so you may receive Our Ratification thereof, if we shall approve of the same. Provided always that you do not by Colour of any Power or Authority hereby given you, commence or declare War, without Our Knowledge, or particular Commands therein, except it be against Indians. upon Emergencies, wherein the con.
S^{ent}

Consent of Our Council shall be had & Speedy Notice
given thereof to us as aforesaid.

124. And you are upon all Occasions to send unto
us, by One of Our Principal Secretaries of State, &
to Our Commissioners for Trade & Plantations a par-
ticular Acct of all your Proceedings & of y^e Condition
of Affairs within your Government.

B. P. R. V. South Carolina (N.T.) Vol. 26. p. 347.

Whitchall.

July 23^d 1730.

To His Grace the D. of Newcastle.

My Lord.

We having lately rec^d a Proposal for making a Settlement of Six Hundred Swiss Protestants in South Carolina, which would be of great Service to that Province as it would tend to their Security, and consequently encourage other People to settle there.

Wherefore We have taken the Liberty to Offer Our humble Opinion thereupon, in the inclosed Representation to His Majesty, which y^r Grace will be pleas'd to lay before Him, for His Royal Orders. We are.

My Lord.

Your Graces most Obedient

& most humble Servts

R. Doerninque.

J. Pelham.

M. Bladen.

Ja. Brudenell.

B P R O A v R I Vol 19 p 11.

Tuesday 11th June 1730

Sir,

Mr Cotton, who has the honour to be your Country Man, procured for me the Assignment of Sir John Tyrrells Propriety of Carolina, w^{ch} gave me an opportunity of being of some use in the Agreement between the Crown & y^e Proprietors, and all the return he desires for his concurrence in the work is to appoint his Kinsman Mr Wright Chief Justice of South Carolina during his Majestys Pleasure. Mr Wright has a grant of y^e office from the late proprietors during his life, and there is a proviso in the Act of parliament, that all grants of offices from y^e proprietors under their Seals shall be of the same force they would have been if the Act had not pass'd and altho this proviso may not amount to a Confirmation of those grants, yet it seems to give an equitable Claim to the Grantees to his Majestys favor

When I first mentioned this matter to you, Your Country Mans request appear'd reasonable and I did thereon venture to assure him that the thing would be done, as I hope it will. I believe his Grace
the

the Duke of Newcastle will not deny me this favor;
but having given Mr. Bolton assurance therein which he
has done to Mr. Wright I have it at heart, and
therefore beg the favor of your recommendation.

I am

Sir

Your most humble and
most obedient servant

Arch Hutchison

P.S. Mr. Wright is a barrister at law upwards of
30 Years.

B P R O. Ar W. I. Vol 621

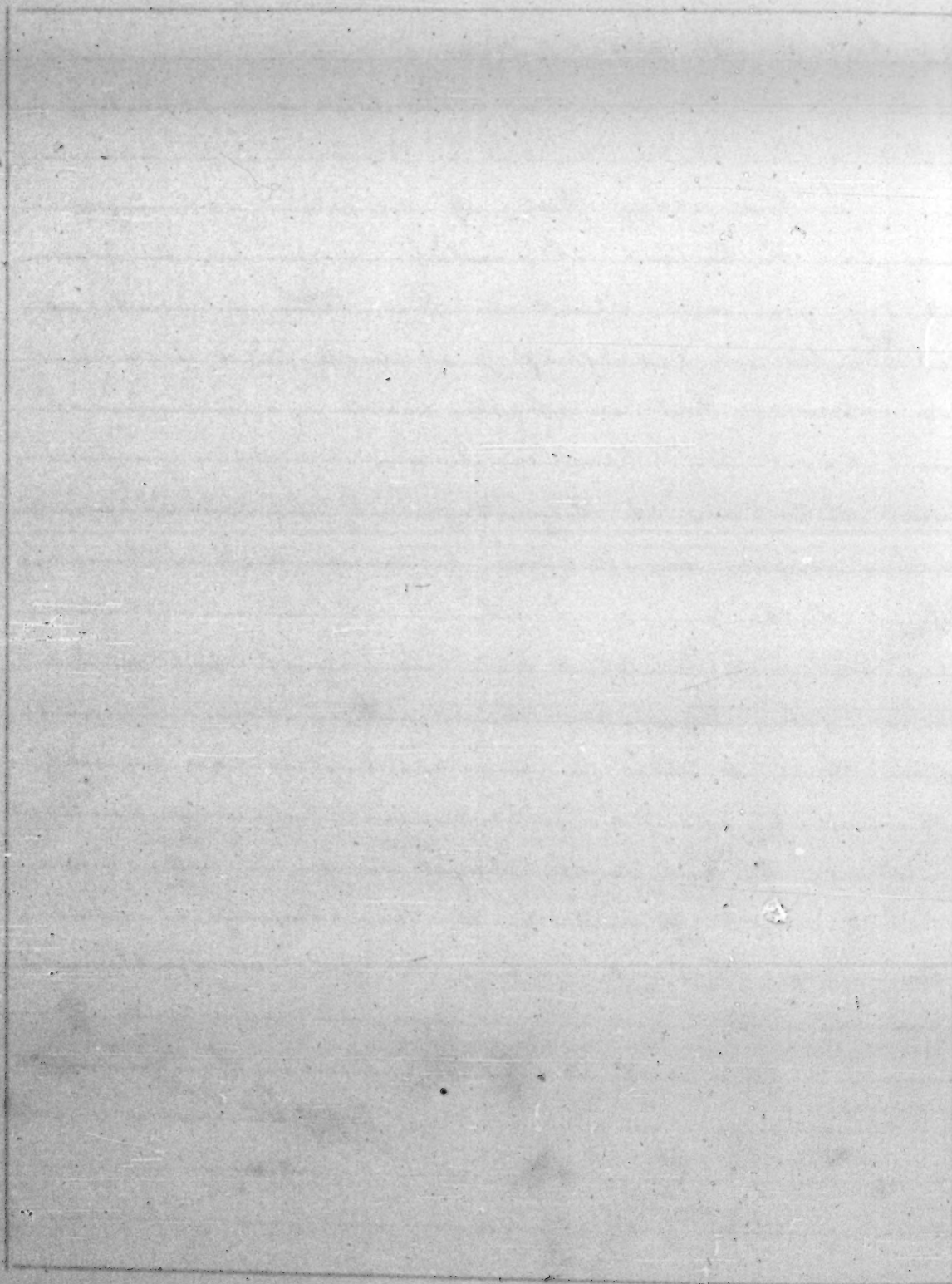
Windsor June 20. 1730.

S^r

I have the Hon^r of a letter yesterday from my Lord Sutherland. Acquainting me you are so good to say you will speak to His Grace y^e Duke of Newcastle in behalf of Cap^t Sutherland to be Cap^t of Johnsons Fort in South Carolina, and desires I will concur with you in it. I am sorry my affairs dont permit me to stay longer at Windsor at present. All I could say to his Grace is... that I knew Cap^t Sutherland in Carolina, and believe he is very capable well Qualified and deserving of that post.

His Grace has the memorial I did my self the Hon^r to read to you, relating to the necessity of sending an other Independant Company to Carolina I should be very much obliged to you S^r to induce his Grace to favour it to his Majesty. I shall have the Hon^r of waiting on you in London and am S^r.

Your most Obedient and Devoted Humble Servant
Rob^t Johnson



B. I. R. O. Ar. H. I. Vol 621

Windsor June 9th 1730S^r

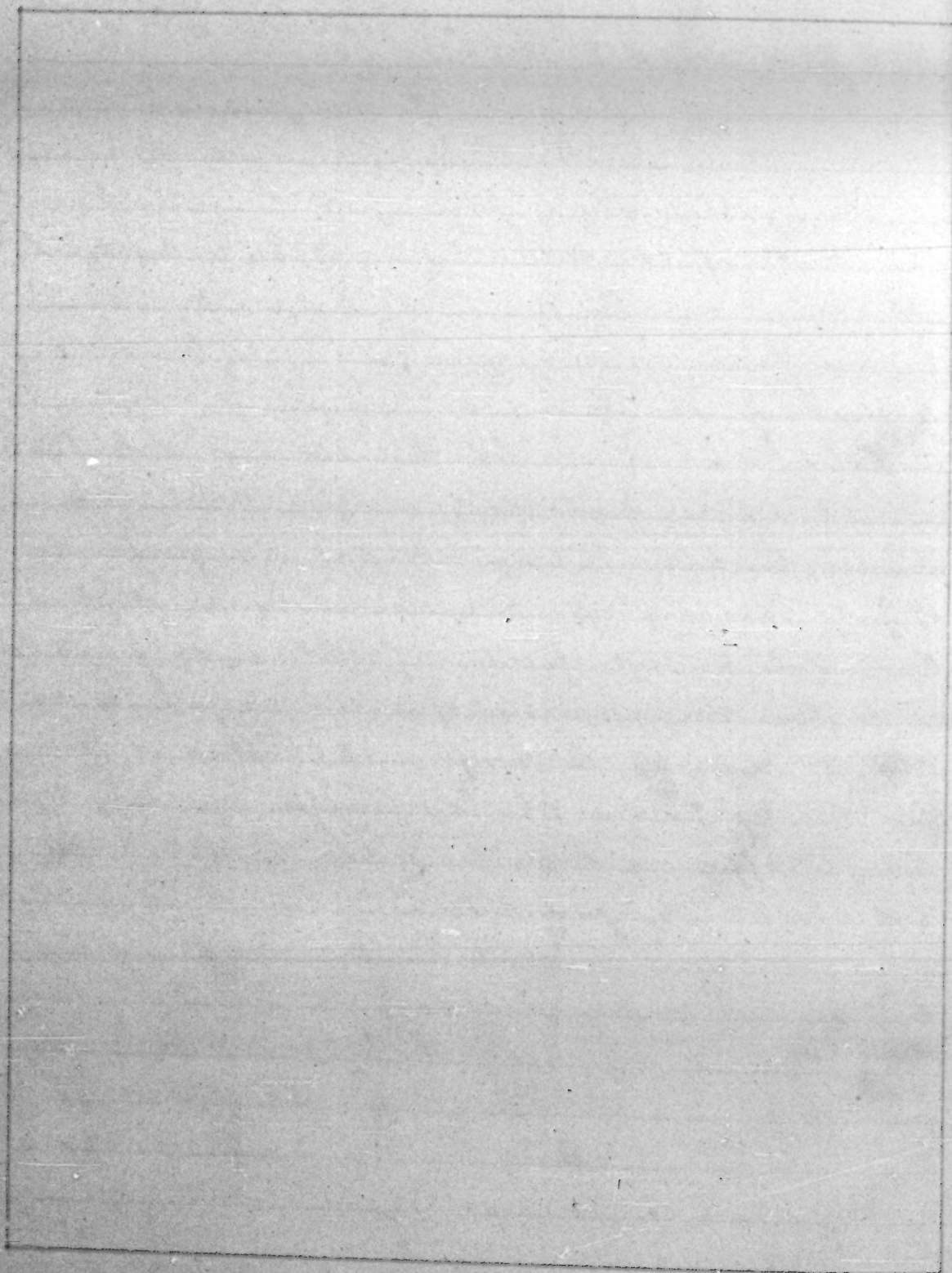
Having been obliged yesterday to leave his Grace the Duke of Newcastle's table, by an indisposition which carries me this day, to London. I beg leave to recommend again to your favour the bearer Mr. Southorland. He is a person very well acquainted with the whole coast of America and has done several gallant actions, particularly in the Station he was in, in Carolina. I truly believe it will be for His Majesty's Service y^t he be restored & by his Majesty's Commission, to the command of Johnsons Fort, and as he has the approbation of the Governor, I hope it will be agreeable to His Grace to obtain it for him. I beg pardon for this trouble, and only beg leave to offer my most humble duty to His Grace, and am with the greatest truth

Sir

Your most obedient

humble Servant

Ch. Ross



B. P. R. O. South Carolina B. T. Vol. 12. 699.

(11 July 1739)

To His Grace The Duke of Newcastle His Majesty's
Principal Secretary of State.

The humble Memorial of Sir Alexander Cumming Bart
Sheweth

That in Obedience to His Majesty's Commands
Your Memorialist Presumes to say before Your Grace some
particular Observations which he made in South Carolina,
and Which Your Grace may probably say before the
Board of Trade as conducive to His Majesty's Service.

That when Your Memorialist Arrived in Carolina
Decemb^r 6th 1739. He found the whole Province complain-
ing of want of Government, and that every Person did
What he himself thought fit, Which threw the Country
into such confusion, that no Person had any Security
either for Life or Property, and that if it had not
been for His Majesty's Ships Stationed there, and the
independent Company, that Country must have been
lost by the Ignorance, Dishonesty, Mutiny & Rebellion of
the Inhabitants, before the Ministry here could be rightly
Informed of the source of all these Grievances. Which
Your Memorialist humbly conceives Arose originally from
the stamping of paper Money without placing the
same

same upon any solid foundation, and as it was impossible for them effectually to Remedy the ill State of their Affairs by a Scheme in itself made up of Inconsistencies so when they found themselves pressed from time to time by new Difficulties, they went on in the same Measures of stamping more paper Money & making Acts of Assembly one Year inconsistent with those of the preceding Years Whereby the Publick Credit of the Province was destroyed, and the whole thrown into greater perplexity & Confusion by the very steps that they took to Redress themselves, and all this happened for want of a distinct Plan, whereby Loyalty, Honesty and Discipline might be propagated.

Your Memorialist shall therefore lay before Your Grace a Method to Redress those Evils, after Enumerating some of the Evils that are to be Redressed.

It is well known that when Mr Johnson was Governor appointed by the Lords Proprietors, the People Mutinied & turned him out of the Government by armed Force; and since that time a Body of three hundred armed Men came down to Mr Middleton President of the Council who in that Capacity Acted as Governor, and desired him in a Petition delivered by some of their Number with Pistols under their Arms, to stamp
more

more Bills commonly called paper Money. Which they know to be contrary to His Majestys Instructions. & consequently out of his power to comply with.

As they could not obtain their Desires, they burnt his Barn with his Effects in it, & by his being from home he narrowly escaped being Murdered For these People had threatened to Murder both him & the Gentlemen of the Council.

It was and is still a common Practice for the People to Survey His Majestys Lands Mark his Timber & to appropriate the same to themselves without any colour of authority for so doing, and those who survey the Lands, which they claim by virtue of antient Patents are threatened to be knockt in the head, and never suffered to Return.

The Folly & Ignorance of these People have raised up a spirit of Mutiny & Rebellion as if they were independant on His Majesty, His Majestys Woods are destroyed to make pitch, Tarr & Turpentine thereof without paying or thinking themselves obliged to any quit Rent or Consideration for the same. One Person commonly called Turpentine Brown is said to have cleared to himself 10,000 £ by a Waste & Destruction of the Kings Timber for that purpose.

Yours

Your Memorialist represented to them in private & publick conversation the Arrogance & Presumption of their behaviour, and told them he did not know what they might think of themselves, but that if he should do the same thing he would both Expect and Merit the highest Chastisement, and to Inforce the same, he lett them know, that altho he wanted Land to Improve & Settle a Colony for the benefit of the Province & for Advancing his own private Circumstances. Yet he would not take any such unjustifiable Means to obtain, that it was his Opinion, any one might procure Grants from His Majesty upon paying the usual quit Rents and acknowledgements if no Steps were taken to render them unworthy of such a Benefite.

The stamping so many Paper Bills, has reduced the reputed value of the Paper money to but the Seventh part of Sterling money, so that Seven Shillings of their money is but worth one Shilling Sterling, & consequently if the Kings quit Rents are payable in their current money, as they have Ordered all Lenders of their paper money to be good in Law, His Majesty hereby loses Six parts in Seven of all quit Rents due in the Country. As many of the Merchants in London who gave Credit to the Province for Effects bought of

of them were ruined by the fall of the value of the paper Money.

The Debtors who make the Generality of the Province & make up the Body of the Assembly are for having more paper money stamped, whereby they could pay their Debts with half the present value if there was a double quantity of the same, for that would reduce the paper money which is now the seventh part of reputed Sterling value, to be the fourteenth part of the same. It is to be observed that the proportion of one to seven between Sterling money & the paper money has been the Standard for these five Years past, so that the disadvantages arising to particular Persons before that time, cannot enter into a general Consideration, so as to obtain Relief from a general Remedy.

The Creditors pretend to want only the money due to them by their Debtors, according to the present Standard & the Debtors pretend that the Rich whom they call designing Men, want to raise the value of the paper money, by sinking thereof & creating a security whereby they would become liable to pay quadruple the Money they borrowed, and Nineteen parts in twenty of the whole Province must be ruined & the Rich themselves would be undone by the Destruction of the
Poor

Men who would flye to other Countreys, as many have done already from an Incapacity to pay their Debts.

The Rise or fall of the paper money would be equally destructive to the Province, all Persons complain of a Scarcity of Money & the Means hitherto proposed to Increase the quantity would again Involve them into further & greater Difficultys, the Charges of the Government have not been paid, nor Taxes laid on for that purpose for some Years, They are in danger of the Blacks Rising up against them, who are six times the Number of the Whites, and this from the Example of the Mutinous Disposition of their Masters. And for want of their Garrisons being defended, the Whole may become an easy Prey to the Indians. All the Gentlemen of Sense & Substance in the Province allow this to be the State of the Case, and allow the whole to be in a miserable Condition but being divided in their Measures and particular Interests No two of them can agree in any common Measure for their Relief.

The nearest Computation of the quantity of paper money now extant in the Province is about 96000 £ of their Currency or about 14000 £ Sterling This Paper money has been Counterfited & disperst throw the Province, the Checks by which the Counterfited Bills could be compared with

with the real ones & the forgery detected are thrown about the Streets for the Children to play with, some of which Your Memorialist has got to show for an example. It were endless to Enumerate all the Particulars by which that Province comes to be in Confusion. Now are the above mentioned Particulars taken notice of but to show Your Grace how the Remedy to be proposed by Your Memorialist is fitted for the Relief of the Whole.

Since the present paper Money has created so much Confusion, Your Memorialist Proposes that the whole Should be called in at once & that they should not be allowed above a fortnights Warning for the whole Country to bring it in, lest the Counterfits Should increase considerably from the time of the Publication.

2^d That Gold & Silver Should be given to the Proprietors & Possessors of the present money Bills in Exchange for the said paper Money, and that the said Gold and Silver Should be circulated from hand to hand in lieu of the paper Money: or rather.

3^d That a Royal Bank of 200000 £ Sterling under the Direction of the King & the Ministry Should be Erected and Bank Notes struck payable in Silver & Gold of a certain Weight and fineness. Such Notes might be at once given out in Exchange for all this
present

present paper money. These Notes would be all wise upon a solid foundation because payable in the common Standard of the World, whose value is not so changeable as any other Measure of Property.

4th That it should be Treason or high Treason to counterfeit any such Notes.

5th That the Province should lay on a Tax, as has been usual till within these three Years, for the Discharge of their paper Money, or which is the same thing for the Discharge of the 14000 £ in Silver & Gold which comes in place of it. And since the legal Interest of that Country is ten p Cent, the Province out to pay that Interest till the Debt is discharged.

6th That the 1000 £ which remains of the 20000 £ Bank should be lent out to the Gentlemen Planters, Merchants & Artists in the Province, who are capable of giving good Securities for the payment of the principal and Interest at ten p Cent. Below which the legal Interest of the Plantations ought never to fall, in order to keep them from selling themselves up in a State of Independancy, that in case they are not regular in the payment of the Interest, the Effects pledged as a Security to the Bank should be sold up at

at publick vendue and sold, Returning the Surplus to the Borrowers, This would be an Encouragement to Industry, Exactness & Honesty, the only Sure Means to make a Country flourish and prosper without being in danger of their Revolt, For when the Country thrives by these Measures it will add to the Riches of Great Britain, to strengthening His Majesty's Power, to the Increase of His Majesty's Revenue and to the Advancement of their own Interest and Prosperity, Whereas Leaving them exposed to the ill consequences arising from their own Ignorance & Vices, must Make them fall a Sacrifice to the Envy or Malice of one another, to the Insurrection of their own Slaves, to be swallowed up by the Indians, and to fall into the Hands of either Spain or France in case at any time there should be a War with these Nations.

Upon the foundation of this Royal Bank of 20,000 £ any Person or Persons may borrow as much money in that Province as they can find Securities for Providing the Terms of payment be made that such as for a fortnight or a Month this quantity of Bullion would be able easily to circulate their Bills for 100,000 £ Sterling, The pretence of wanting for want of a sufficient quantity of money would be then
obviated

obviated. So that if the Inhabitants fail of Success in making their Fortunes, they must Reproach themselves either of want of Loyalty, want of Honesty or want of Industry, and not of want of Money. The Enabling them to borrow money at such a reasonable Interest as that of ten p cent When they can make much greater Profit by it, will be in reality a greater Advantage to them by stirring them up to Industrious Methods of Life, than if so much Money was actually given them, Seeing that would Encourage their Vice, Negligence and Profusion.

Five p cent of this 20000 £ may be yearly Returned to England for the use of any Person or Persons who make up that Sum, the other five p cent which is 1000 £ Sterling a year may go to answer the Charges of the Bank, Which Your Memorialist thinks is sufficient for the Expenses of the first three years the Advantage which the Bank will have by lending out more money Bills than 20000 £ may be appropriated as part of a sinking fund, for paying the Debt of the British Nation, or be otherwise Employed as His Majesty thinks fitt.

By this Means and the help of a few other Considerations, the Persons in England who advance the Sum

Sum of 20000 £ will be secured of the Principal, and the Interest of their Money at 5 p Cent paid regularly on the Exchange of London, the Borrowers in Carolina will be benefited because without this Measure, they could not borrow money under 20, 25, 30 p Cent and more, the Merchants in Carolina will have their Debts more regularly paid, the Merchants in London will avoid the Losses they have heretofore undergone by the Multiplication of paper money; His Majestys quit Rents more easily paid by the facility of borrowing, & consequently the Revenue Increased, and the whole kept under that entire & voluntary Subjection Which the Debtor is allways under to the Creditor, And all this made a means for their own Safety, the Increase of their Trade and Riches as well as for the Safety and Increase of the power of Great Britain.

Your Memorialist will not trouble Your Grace at present with other particular Considerations of more extensive Benefits to His Majestys Service, not knowing whether the Steps he has already taken may be approved of, or whether he may be thought to officious in his Zeal for the Prosperity of his Country, and too Negligent of his own private Circumstances when regarding the Ruin of himself and anyways contribute to

to the Publick Service

Recd 14th July }
 Recd 15th do } 1730

Recd with the Def Answer this
 11th of July 1730

B. P. R. O. South Carolina B. P. Vol. 4 698

Council Office Whitehall 10th July 1730

S.

The Lords of the Committee having this day taken into consideration the Draughts of Governor Phinsons Instructions, and some doubt arising upon the Articles about Continuing the Paper Currency. Their Lordships have deferred the further Consideration thereof till this day Se'night at eleven of the Clock. At which time the Lords Commissioners for Trade are desired to Attend. I am

S.

Your most humble Serv^t

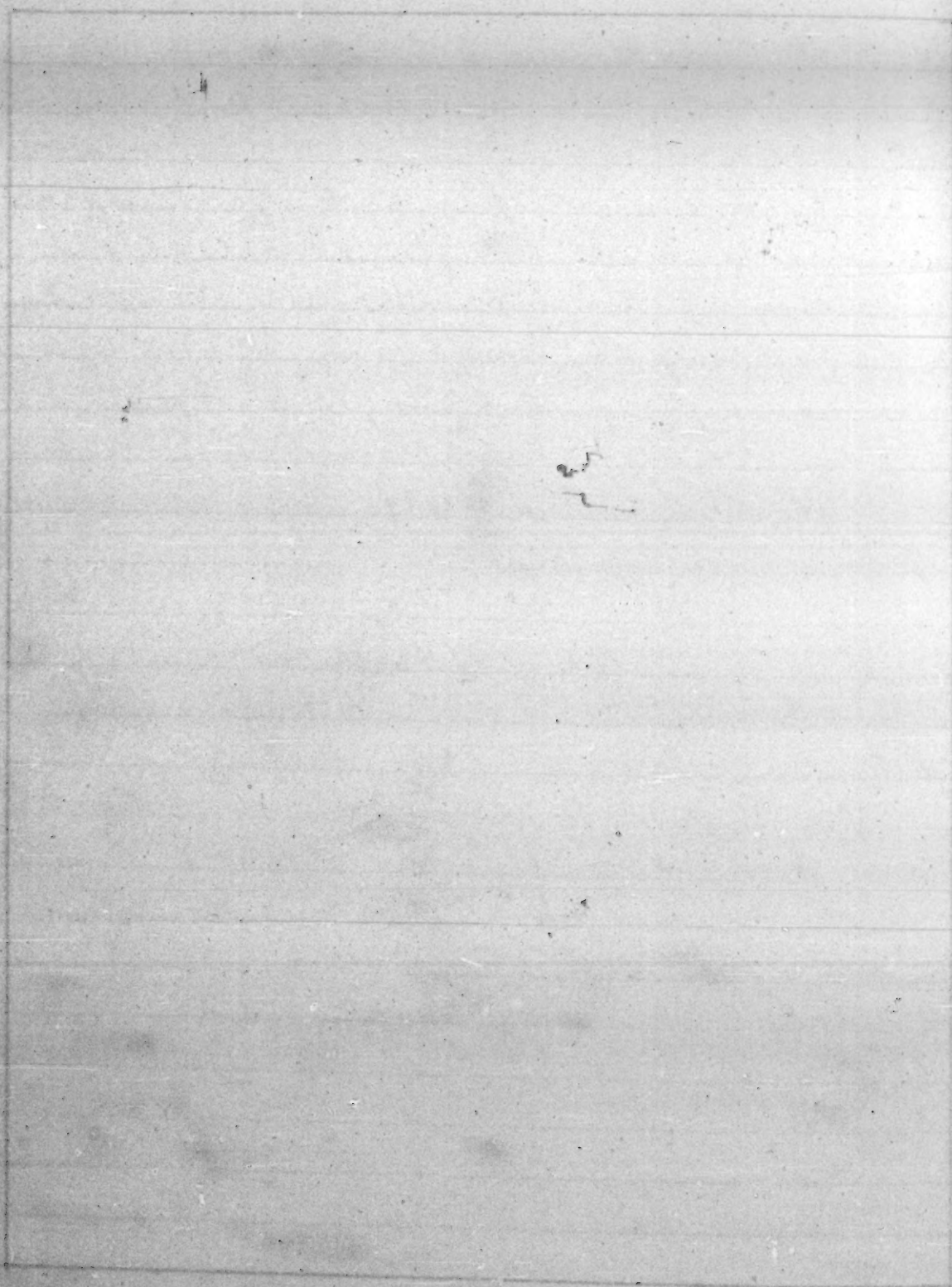
Alured Popple Esq^r

Is. Vernon

P. S.

You are desired in the mean time to Attend S^r Robert Walpole with the Scheme proposed for Linking the Old Bills and creating New Ones and likewise to send a Copy of it to this Office.

Recd
Read } 10th July 1730



B P R O South Carolina B I vol 4 69

Windsor Castle 11th July 1780

My Lords

I herewith transmitt to your Lordships the Memorial of S^r Alexander Cumming Bart; which being laid before the King, His Majesty commanded me to refer it to your Lordships to consider of it and report your Opinion whether anything is proper to be done upon it.

I am

My Lords

Your Lordships

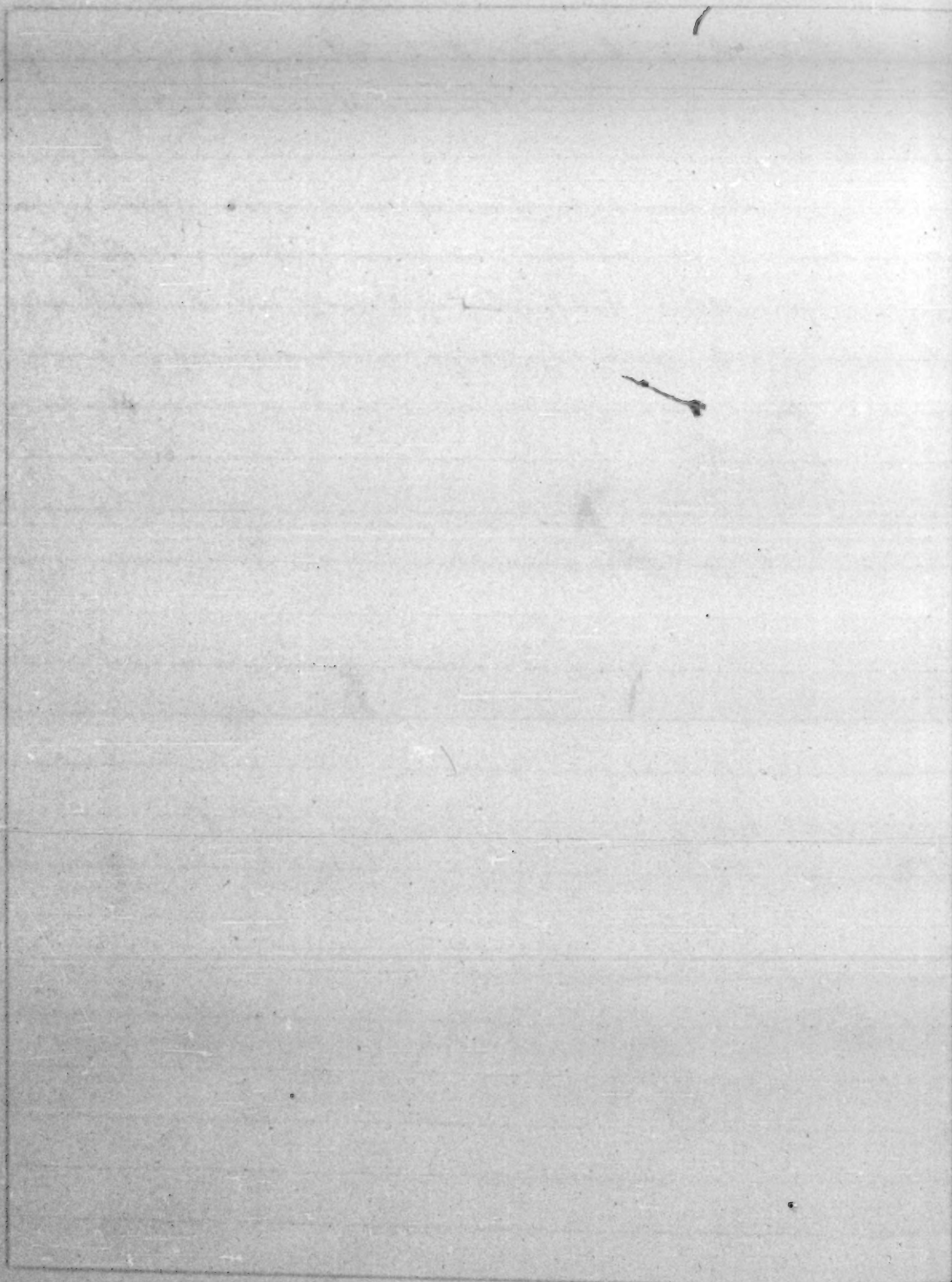
Most humble Servant

Robert Newcastle

Lords Com^{rs} of Trade

Recd 11th July

Read 18th Do } 1780



3 P R. O. South Carolina D I Vol 4 6 182

Windsor Castle July 16th 1790

Dear Sir

My Lord Duke of Newcastle referred lately to y^r Lords of Trade a Memorial of S^r Alexander Cuming containing a Project of erecting a Bank in South Carolina; I have met with another paper of his concerning the Cherokee Indians; and as his whole Scheme is intended to be referred to their L^{ts} by My Lord Duke's Letter, I beg you will add this paper if you think proper to those that were inclosed in it.

I am with perfect truth and esteem

Sir

Your most obedient humble Servant

Chas. Delafaye

I presume S^r Alex^r Cuming will attend y^r Board, to explain what it is he has been doing or would do.

(Enclosure)

(Enclosure)

To The Kings Most Excellent Majesty
 His Humble Memorial of S. Alexander
 Cumming Bar.

Sheweth

That in order to Secure the Obedience of the
 Cherokee Nation, until Your Memorialist Should know
 Your Majestys further Pleasure. Your Memorialist appoint-
 ed one Head Warrior whose name is Moytoy as Chief
 over the whole Nation, that He might answer to Your
 Memorialist, and Your Memorialist to Your Majesty
 for the conduct of the whole People, to this all
 their Kings, Princesses and Head Men consented.

Your Memorialist informed them that what
 He did was of His own accord, for which He had
 no Authority from Your Majesty, and that He under-
 took voluntarily to answer for them at the Peril
 of His Head, that He would lead them to War
 against their Enemies and give them such Rules for
 their obedience, as should make them a great and
 good People, if Your Majesty consented to the same.

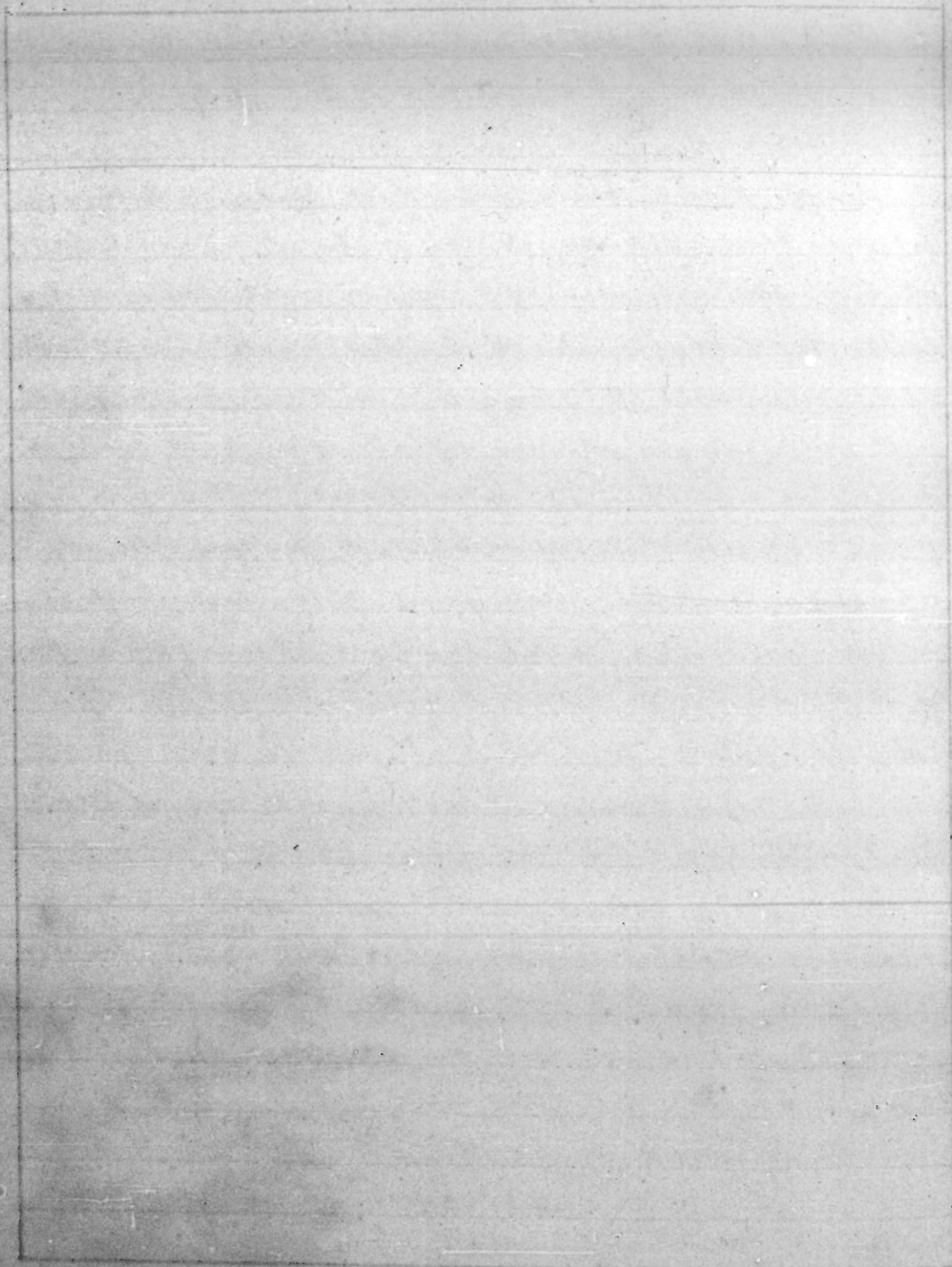
Your Memorialist designed that hereafter
 none should obtain any Title of War without having
 first signified Himself in Your Majestys Service, and
 that

that any act to the contrary should degrade even their Kings and Princesses.

Your Memorialist is willing to run all risks in living among them for three Years, and thereby promote Your Majestys Service, after such a manner as to render it easier for any one to continue it afterwards. He believes that this Station may be made very useful and not dangerous, with proper discipline and good usage, whereas hitherto they have been dangerous without being useful.

It is Humbly Submitted to Your Majesty, whether the Power that forms them ought not to be as unlimited as what they themselves have given. Your Memorialist, and answerable only to Your Majesty.

Recd 17th July }
Read 22^d do } 1780



B. P. R. O. South Carolina B. T. Vol. 11. C. 101.

20th July 1730

My Lords

M^r Jean Pierre Purry a Native of Switzerland, who I know has been a great Expence and trouble already by Endeavouring to procure a Number of Suisse People to Settle in South Carolina; Telle me he is again determined to prosecute the same design, provided that in consideration of the further charge and trouble he will be at, Your Lordships will procure for himself besides the Lands to be granted in Townships, for the encouragement of New Settlers, a Barony containing Twelve Thousand Acres of Land free of Quit Rent.

I take the liberty to represent to Your Lordships, that as nothing is so much wanted as White Inhabitants, for the security and improvement of that Frontier Colony, M^r Purrys Proposal is Worthy Your Lordships Consideration and recommendation to His Majesty upon the Conditions following

That he procures Six Hundred Suisse Protestant People in Six Years time, to Transport themselves and Settle in Carolina.

That the said People do Consent and Agree to

to settle in a Township together, under the encouragement given to this Corner, by the Governor's Instructions.

That the Townships sett out for them shall be upon the Savana River, Near the Salachuccola Fort or any other part (upon that River) where conveniency can be found at the Discretion of the Governor and Council.

In consideration of which Service he Desires that His Majesty will be Graciously pleased to give an immediate Conditional Instruction to the Governor for the time being, That upon his being Satisfied by proof being made of Mr Purrys having performed the aforesaid Agreement, he do cause to be ad-measured and Grant, he paying the usual Fees for the same a Barony containing twelve Thousand Acres of Land, paying five Shillings Annual acknowledgement for the same. I am

Yours Lordships

Most Devoted and Obedient

Humble Servant

Robt Johnson

Recd 20th July }
And 22nd O } 1730

B P R O South Carolina B I Vol 4 C 103

(21st July 1730)

At the Council Chamber Whitehall
the 21st day of July 1730

By a Committee of the Lords of His
Majestys Most Honourable Privy Council.

Upon reading this day to their Lordships, a Report
made by the Lords Commissioners for Trade and Plant-
ations, dated the twenty third of May last, upon
a Petition from the Lord Carteret, setting forth his
right to one full eighth undivided part of Carolina,
and also of the Share of Quit Rents, and humbly
praying that his eighth part of the Soil of the
said Province may be sold out and Allotted to him,
that he may hold the Same in Severally to him
and his Heirs, together with all the Same Royalties,
Powers, and Privileges, (the Government thereof and of
the said Province of Carolina only excepted) as far
as concerns such eighth part to be so Allotted
to him, as he is entitled unto, under the Charters
of the Province and the Act of Parliament lately
for Establishing an Agreement with some of the
Lords Proprietors of Carolina, for Surrendering their
Title and Interest therein to His Majesty, in case
such

such Division or Allotment was not or should not be made, and under the like Just Rents proportionably as are mentioned in the said Charters, according to his Proportion or Eighth part thereof Whereupon the said Lord Carteret proposes to Surrender to his Majesty, his Share and Interest in the Government of the said Province, and to convey, Release, and confirm to His Majesty, the other Seven parts of the said Province. The Lords of the Committee taking the Same into Consideration Are thereupon pleased to Order, that the said Lords Commissioners for Trade, do send to the Lord Carteret, to know what value his Lordship sets upon his said Eighth part of that Province, in Order to Treat for the Surrender thereof to the Crown And make Report of their proceedings therein to this Committee

Luc Vernon

Recd July 20th
 Read 8th 25th } 1730

B P R O South Carolina B I Vol 4 6 104

21st July 1730

At the Council Chamber Whitehall
the 21st day of July 1730

By a Committee of the Lords of His Majesty's
most Honorable Privy Council.

Whereas His Majesty was pleased to refer unto this Committee two Draughts of Instructions prepared by the Lords Commissioners for Trade and Plantations for Robert Johnson Esq. His Majesty's Governor of South Carolina, together with a Representation from the said Lords Commissioners thereupon - The Lords of the Committee did on the fourteenth of this Instant, and likewise upon this day, take the same into their Consideration. And are of Opinion, that the following Alterations should be made in the Draught of Generall Instructions vizt That the Name of Benjamin Schenckhinge be left out of the List of Councillors, and the Name of Robert Wright inserted in lieu thereof.

That all the Articles relating to the Scheme for creating a new Paper Currency be Omitted; And in lieu thereof, An Article inserted, to empower the Governor, in Generall terms, to give his Assent to a Law, for the Establishing a new Paper
Currency

Currency, upon such a foot, as may best answer the
Necessity of the Province, and be most conducive to
the Publick Utility thereof. But he is to be re-
quired to take care, that a Clause be inserted
in such Act, to Suspend the Execution thereof
untill His Majestys Pleasure shall be known thereupon

That at the end of the Sixty third Article
the following Clause be added vizt

But in the meantime You are to take es-
pecial care, that no Office or place whatever in
Our said Province be executed, but by Commission to
be granted by Us - or by You Our Governor under
the Seal of Our Said Province

And the Lords of the Committee are hereby pleased
to Order, that the said Lords Commissioners for Trade
and Plantations, do make the said Alterations in the
said Draughts of Instructions, and present the Same
to this Committee, as soon as conveniently they can

La. Vernon

Recd July 28th }
Read 28th } 1730

N. R. R. W. South Carolina (187.) Vol. 25 p. 898

July 23rd 1730.

To Y^r Kings Most Excellent Majesty.

May it please Y^r Majesty.

During Y^r Royal Fathers Reign Mons^r Jean Pierre Purry of Neuchatel in Switzerland, was recommended by His Majesty's Ministers at Paris as a Person well Qualify'd for the making a Settlement of Swiss Protestants in Carolina, and this Board having rec'd several Memorials from the said Mons^r Purry, did in Y^r Year 1725, recommend to Y^r late Lords Proprietors of Carolina, to give them all reasonable Encouragement for carrying on the Design so Advantageous to that Province; where there are not at present, above 3000 White Families, tho' it be the Southern Frontier of the British Colonies in America, & lies much Exposed both to Y^r French, and Spanish Settlements in those parts.

Accordingly, Y^r sd^s L^{ds} Proprietors under the Seal of their Province, did make severall Grants in Trust for Y^r sd^s Purry, amounting to the Number of Forty Eight Thousand Acres, which Grants containing certain conditions to be performed by the said Lords Proprietors, which were never comply'd with; That scheme provid abortive,
And

and those Grants are become Void.

But y^e sd Purry has lately made fresh Application to this Board & proposed to settle 600 Swiss Protestants in Carolina; including Women and Children, at their Own Expence, wth in the Space of six Years, to be Accounted from Xmas next, on Condition that the said 600 Swiss shall be rec^d & treated there as y^eo^r Majesty's Own Subjects, & intitled to y^e same Priviledges. Provided also that y^eour Majesty shall be graciously pleased to Grant to y^e sd Purry in consideration of his Trouble, Labour & Expence, Twelve Thousand Acres of Land in that Province, to him & his Heirs free from Lint Rents.

Whereupon having Consulted, with Coll^o Johnson y^eo^r Majesty's Governor of South Carolina Considering that the present Lint Rents upon 12000 Acres of Land there, would only am^t to 18⁰⁰ Sterling p^a Ann. We are humbly of Opinion it might be for y^eo^r Majesty's Service that y^e sd Purry's Request in this p^articular should be comply'd with, upon y^e following Conditions.

First that y^e sd Swiss, or at least so many of them, as are of a compleat Age for that purpose upon their Arrival in Carolina, respectively, do take y^e usual Oaths of Allegiance to His Majesty.

That

That after they shall have taken the said Grants, —
Lands be Assigned them, by Your Majesty's Governor,
where they shall dwell together in one or more Town-
ships, in such place & manner as may be most for
the Security of the said Province.

That the said Purry, shall not be intitled to
the 12,000 Acres by demanded, till the Service undertaken
by him shall have been fully performed, and that it
shall appear to Your Majesty's Governor there, by Certi-
ficates, from one or more Officers of the Customs in
that Province, that the said Purry hath Imported
or caused to be Imported into South Carolina 600
Swiss Protestants, including, Men, Women & Child-
ren, within the Term of Six Years to be reckoned
from Mas Day next.

And if Your Majesty shall be pleased to approve
of this Proposal. We shall prepare the proper In-
structions to Your Majesty's Governor for the due Execu-
tion thereof, which is

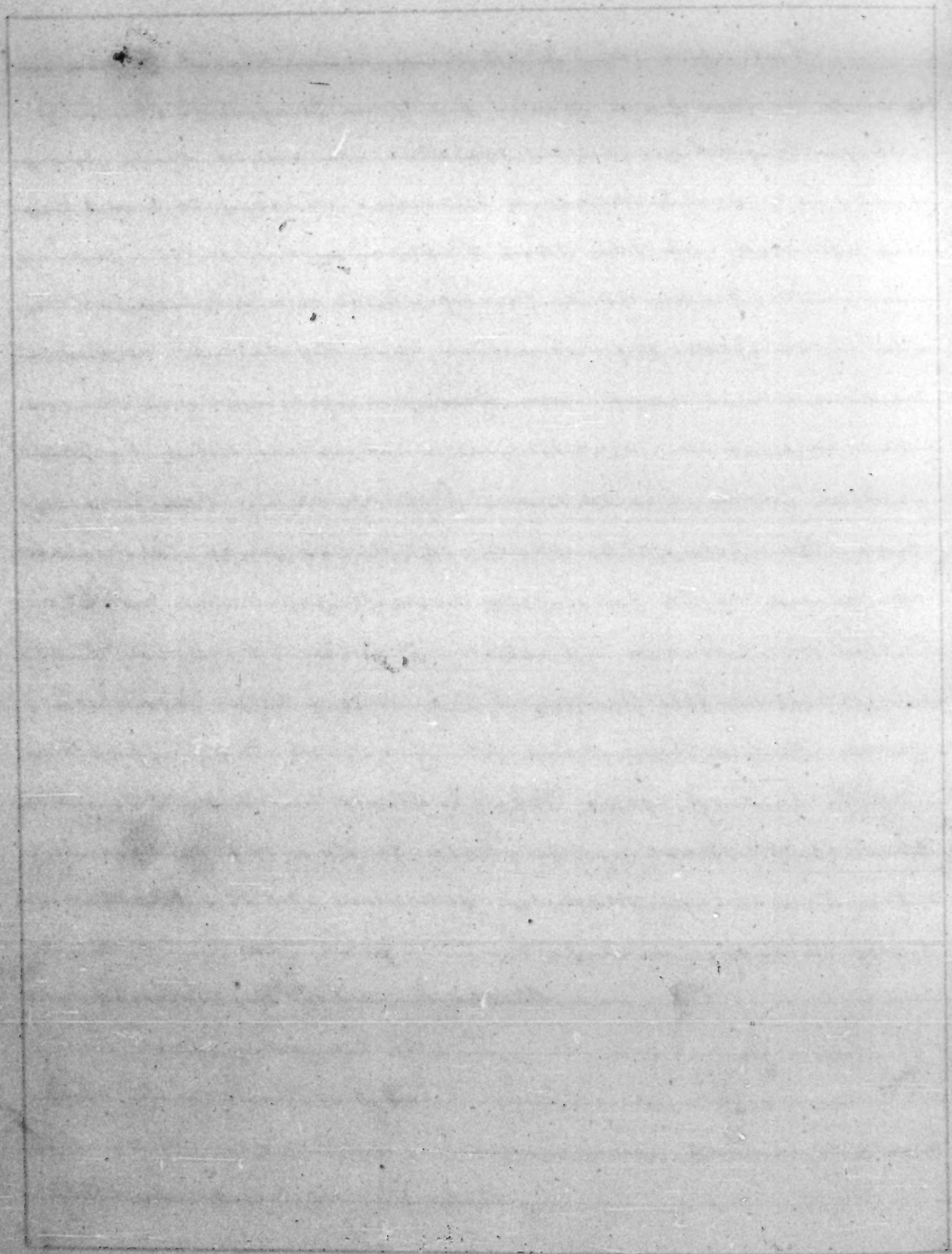
Most humbly submitted

R. Docminique

J. Pelham.

M. Bladen.

J. Brudenell.



B P R O South Carolina B.T. Vol 11 6104

(22nd July 1730)

May it please Your Lordships.

In Obedience to Your Lordships commands
Signified to us by Letter from Mr Popple informing
us that Your Lordships having under Your consider-
ation several papers relating to the Settlement of
Carolina, & observing that some Grants were made by
the late Lords Proprietors of large tracts of Land
without any limitation therein as to the place
where or time when the said Land is to be taken
up and Seated, and transmitting to us the inclosed
copy of a Grant of that kind made to Nathaniel
Johnson in 1726, which hath never yet been put in
Execution, together with the inclosed copy of the
Original Grant from the Crown to the Lords Pro-
prietors of Carolina for our further information, and
desiring us to consider the same and report our
opinion in point of Law whether such Grants are
legal and of force; We have considered the Patent
whereby the said Lords Proprietors did Grant to Na-
thaniel Johnson the Honour and Dignity of a
Baronet, cum duobus Baronis quarum singula con-
tineat duodecim Mille acres terre, And are of Opinion
that

that in regard the place where the said lands lie
is not described, nor any method provided by which
the same may be ascertained, such Grant of the
two Barons is by reason of the uncertainty thereof
absolutely void in Law

All which is humbly submitted
to Your Lordships

P. Yorke

C. Talbot

28 July 1730

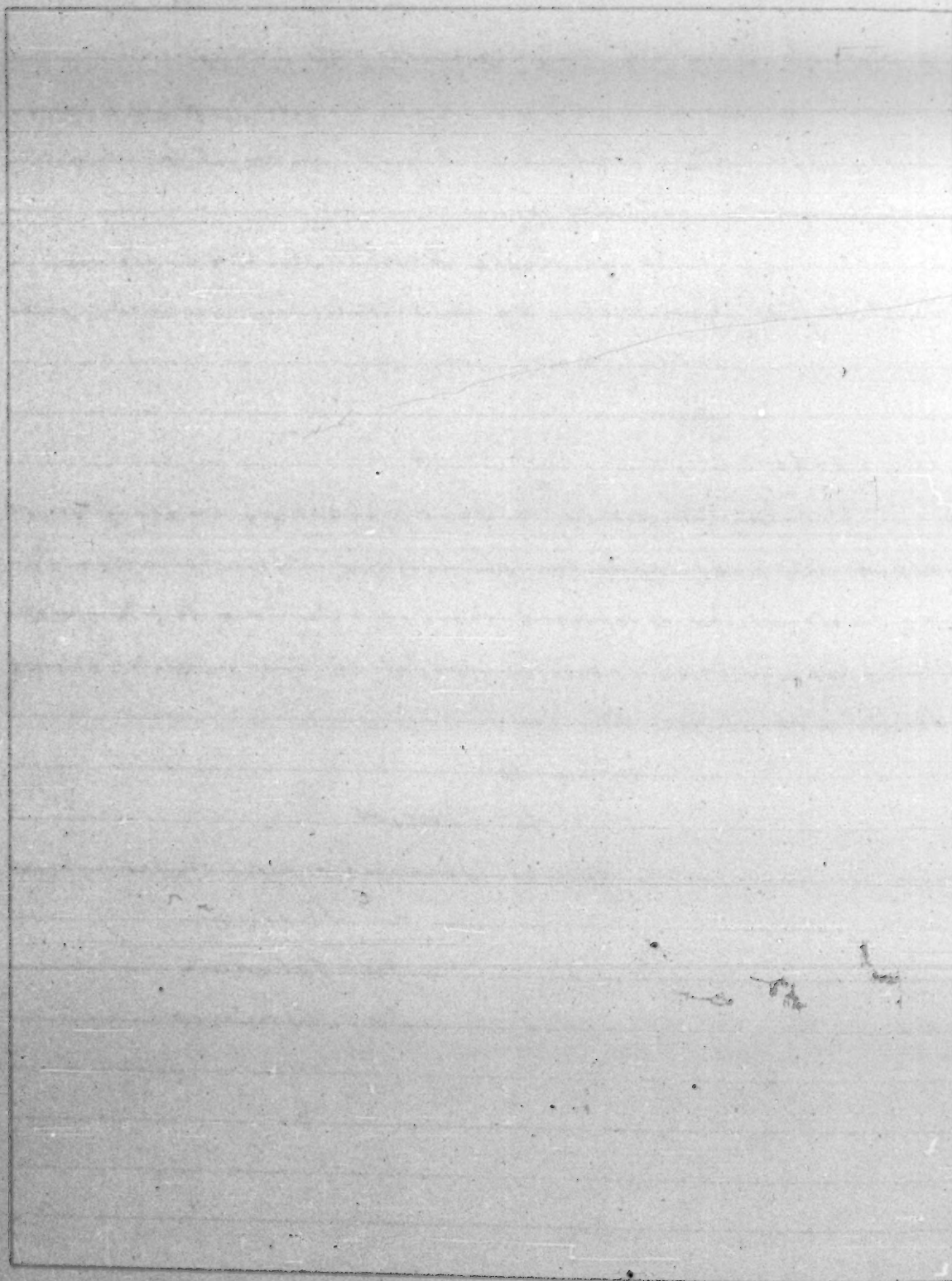
Recd 30: July }
Read 13: Aug } 1730

B P R O South Carolina B.L. 1011 Cur.

Read (13th August 1730)

Copy of the 2^d Charter to y^e Lords Proprietors
of Carolina (Printed)

Read Aug^r 13: 1730



B. P. R. W. South Carolina (B.T.) Vol 25. p 382.

Whitchhall

July 30th 1730.

To Y^r Right Hon^{rs} The Lords of the
Committee of His Majesty's most Honour-
able Privy Council.

My Lords,

In Obedience to Your Lordships Order of y^r 25th
Instan. We have made the Alterations, therein Directed in
the Instructions prepared for Coll^o Johnson His Majesty's
Governor of South Carolina, which we herewith transmit
to Y^r Lordships: We are

My Lords,

Y^r Obedient

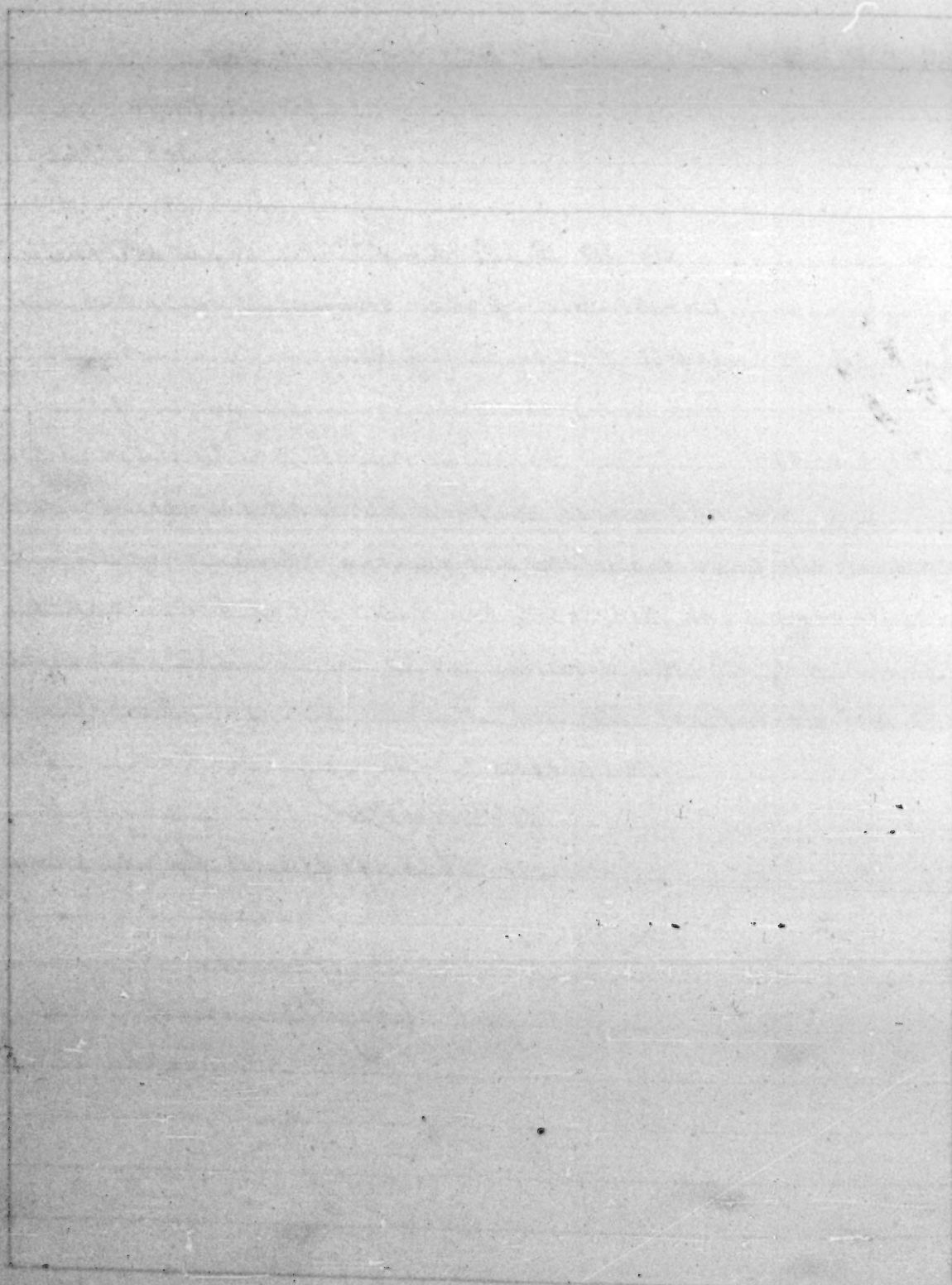
Most Obedient & most humble Servant

J. Pelham.

M. Bladen.

Ja. Brudenell.

P. Doerniniquet.



B. P. R. O. Ar R. I. Vol 17. p. 5

(1st August 1730)

S^r

Yesterday I had the Honour of your Letter and beg You will be so kind to present my most humble Duty to My Lord Duke and Assure him that I am so sensible of the Obligations I lie under to His Grace, that whoever his Grace shall be pleased to name to me for the Agency of Carolina I shall use my utmost endeavours with the Assembly to accomplish it as I hope his Grace will believe I shall always do in whatever Commands His Grace is pleased to lay upon me.

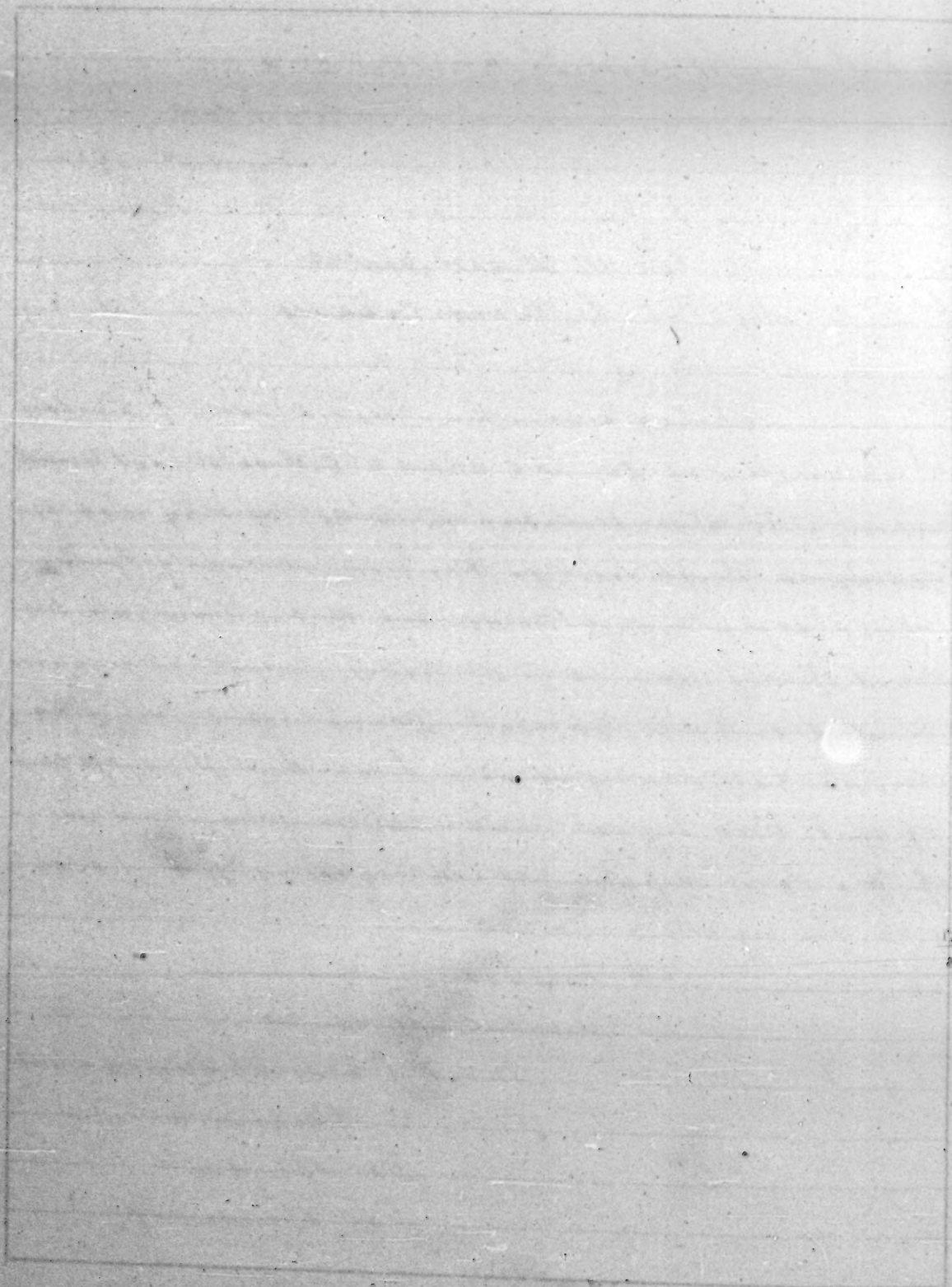
I am much Obliged to You for your kind wishes and intend to do myself the Pleasure to wait on you before I leave England - And receive Your Commands if You have any to Our Part of the World - I am with due regard

S^r

Your most Obedient humble Servant

Rob^t Johnson

August the 1st 1730



B. P. R. W. South Carolina (B.T.) Vol. 25 p. 383.

Whitehall.

August 4th 1730.

To y^r Right Hon^{ble}
Lord Carteret

Having received an Order from y^r Lords of
y^r Committee of Council Dated y^r 21st of y^r last month
upon Our Representation of the 23rd of May last, re-
lating to Your Lordships Petition concerning Your
Right to an Eighth Undivided Part of Carolina, we
send you a Copy of y^r S^d Order, inclosed, and shall
be glad to know, as soon as conveniently may be,
what value y^r Lordship sets upon y^r Eighth Part
of that Province, or what else you may have to
offer on y^r Matters referred to us by y^r S^d Order.
We are.

My Lord

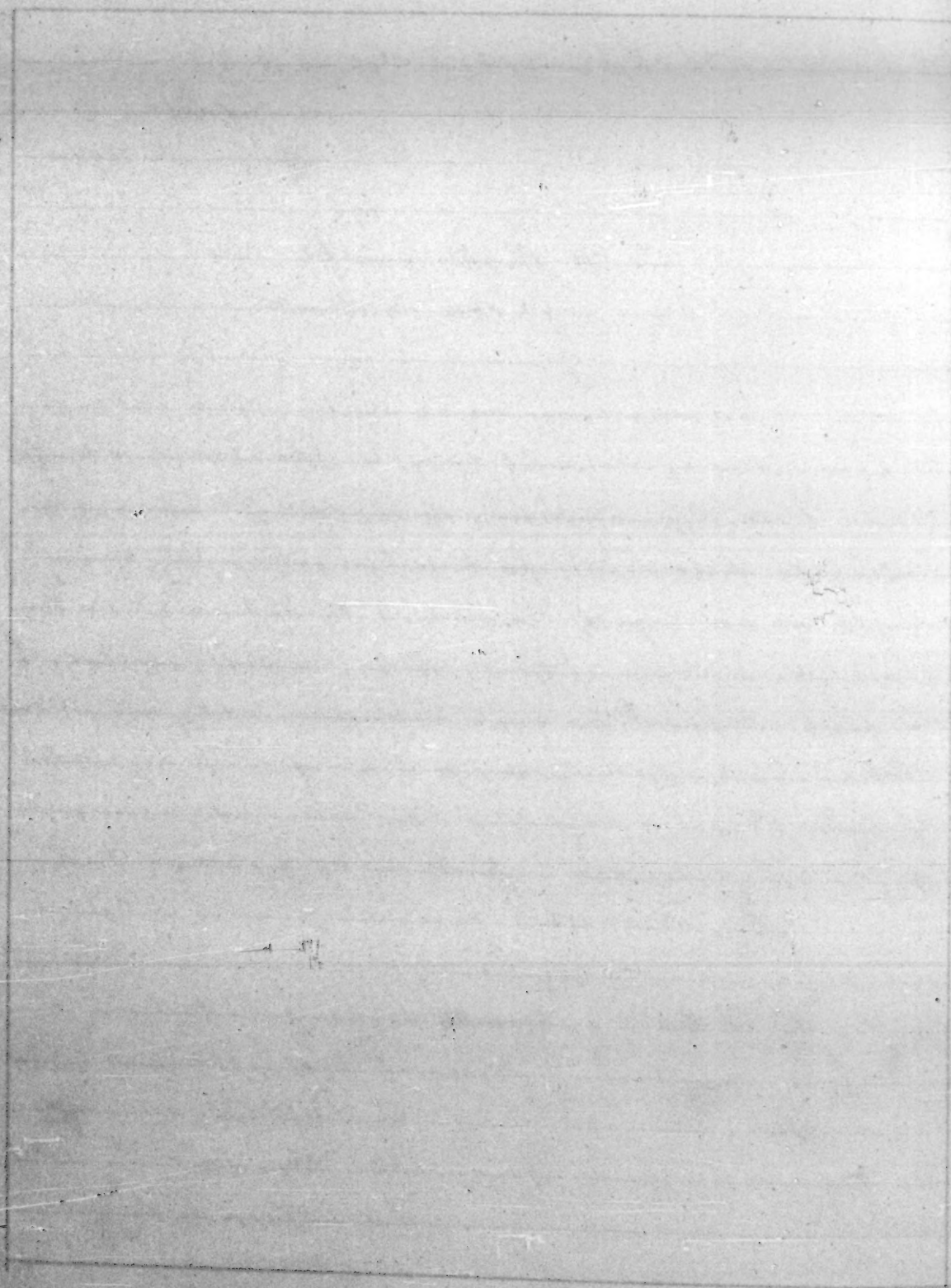
Your Lordships

Most Obedient humble Serv^t

J. Pelham.

M. Bladen.

Ja. Brudenell.



B. P. R. O. Ar. K. I. Vol. 19. p. 1

(5th August 1790)

S^r

The Favour you have done Capt^r Sutherland by interesting yourself, on his behalf for obtaining his Majesty's Commission for Capt^r Fort Johnson in South Carolina makes me presume to give you this further trouble to represent his Case, — There has hitherto been no Establishment of pay to the Commander of that Fort (which commands all the Ships coming into the Harbour of Charles town; but what the Assembly gives which is but 30^l a Year, and makes the Commander in a great measure dependant upon them as happen'd to Capt^r Sutherland was removed and a Friend of theirs in his place And it has happened in New England that when the Assembly of that Province have not been oblig'd in their Recommendations of that kind, They would allow no pay at all to the person appointed by the Governor, And the like may happen to Capt^r Sutherland I therefore apprehend it may be greatly for his Majesty's Service his Command Independent of the Assembly. By allowing him pay out of the Kings Just Rents of Carolina and I think Two Shillings a day would be

be a very moderate allowance, It must be your good
 officers who are so good a Judge of these matters
 can obtain this for Capt Sutherland, Which will
 be a great Instance of your Generosity, Well known
 to

S.

S

Your most Devoted and Obedt Humble
 Servt

August 5. 1780

Robt Johnson

B. P. & O. South Carolina B. I. Vol. 11 C. 106

Arlington Street 6th August 1730.

My Lords

I received yesterday by your Messengers the honour of your letter of the 4th Instant, together with a copy therein enclosed of an Order by a Committee of the Lords of His Majesty's most Hon^{ble} Privy Council; in pursuance of which your Lordships desire to know, as soon as conveniently may be, what value I set upon the Eighth undivided Part of Carolina, which is my Inheritance. As I never desired to part with any of my said Right & Interest there, otherwise than as set forth in my Petition to His Majesty in Council, so I beg leave to refer myself to the said Petition, having nothing to offer at present towards setting any determinate value upon my said Interest in Carolina, which I apprehend to be very considerable and capable of such improvements as are likely to make it as valuable an Estate to my Family, as any Subject has in America.

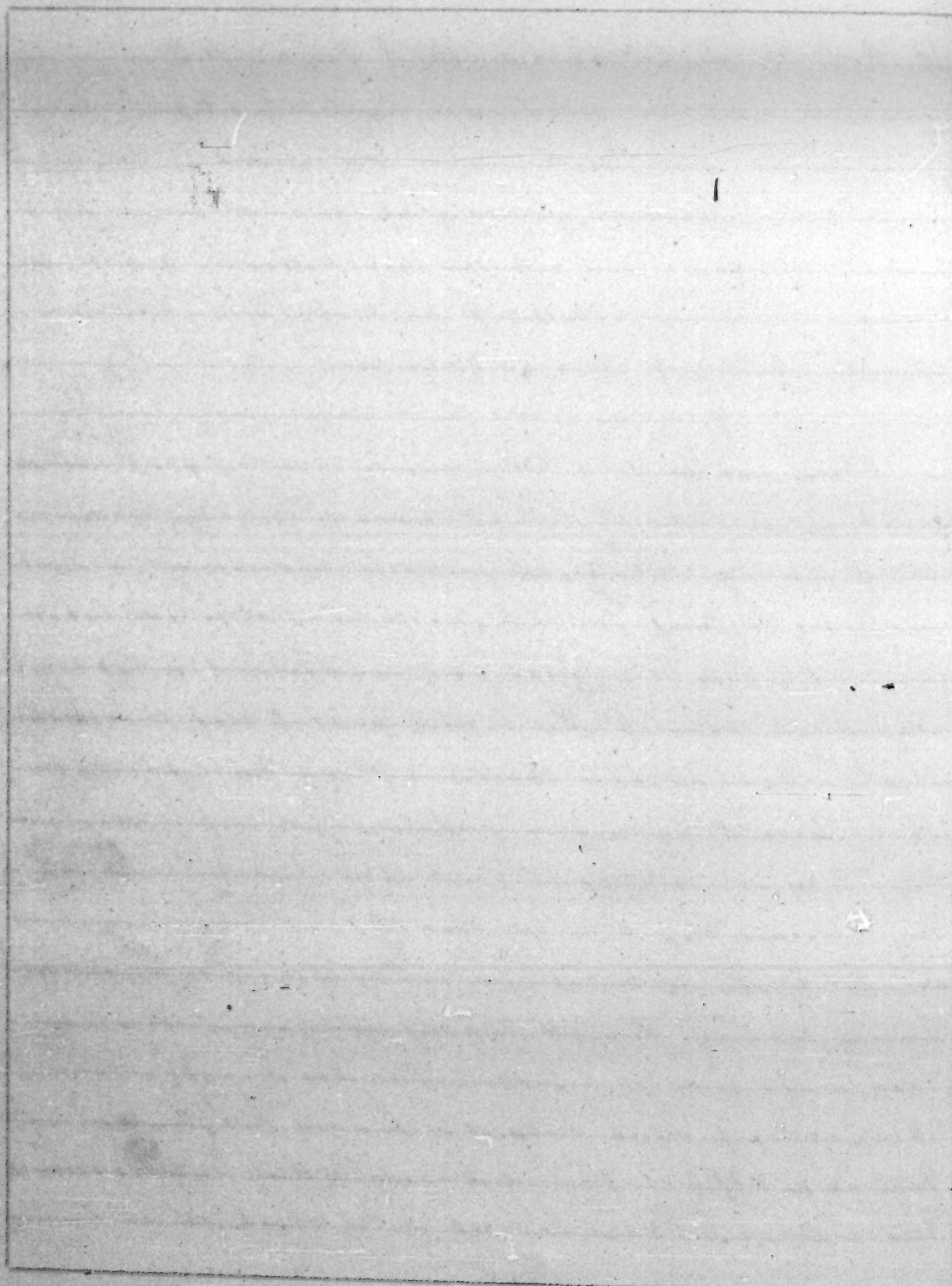
I am, My Lords

Your Lordships

most obedient & most humble Servant

Cartwright

Recd August 6th } 1730
Read 8



B. P. R. W. South Carolina (B.T.) Vol. 25 p. 383.

Whitkhall

Aug 11th 1730.

To the Right Hon.^{ble} y^r L^{ds} Com.
mittees of His Majesty's Most Hon^{ble}
Privy Council.

Pursuant to y^r L^{ds} Order of y^r 21st of y^r last month
requiring us to send by y^r L^{ts} Cartwright to know with value his
Lordship's Rts upon his eighth part of y^r Province of Carolina
in Order to treat for the Surrender thereof to y^r Crown
we writ to him y^r 4th Instant to be Informed what value
his Lordship's Rts upon y^r eighth part of that Province or
what else he might have to offer on y^r matters refer'd to us,
by y^r L^{ds} Order above mentioned. Whereof we transmi-
ted a Copy, with this L^{tr} to y^r L^{ts} Cartwright, and we to-
day Liberty to Report to y^r L^{ds} that y^r answer we have
receiv'd from him, that as he never desired to part with
any of his said Right & Interest in Carolina otherwise
than as set forth in his Petition to His Majesty's Council
his Lordship refers himself to y^r said Petition having
nothing to Offer at present towards settling any determinat
Value upon his said Interest in Carolina which his Lord-
ship

ship Approbends to be very coniderable & Capable of such
 Improvem^t as are likely to make it as valuable an Estate to
 his Family as any Subject has in America as may more fully
 appear to y^r Lord^{sh} by a Copy of my L^d Carters Letter
 hereunto annexed. We are

My Lords.

Your Lordships most Obedient,

& most humble Serv^t

J. Pelham.

M. Bladen.

Ja. Brudenell.

B. P. R. U South Carolina (B.T.) Vol 25 p. 394.

Whitehall.

Aug^t 4th 20th 1730.

To His Grace the Duke of Newcastle.

My Lord,

His Majesty having been pleased to signify His Commands to us by Yo^r Grace's Letter of 4th 23rd of June last. That we should with all convenient Speed, draw up a General State of all His Colonys and Plantations in America, to be laid before His Majesty And that we should therein particularly take Notice of any Advantages that might Accrue to Yo^r Publick from Carolina or the Bahama Islands.

We take Leave to acquaint Yo^r Grace that we shall so soon as may be, prepare a Gen^l State of the British Colonys accordingly.

But in y^e mean time a Particular Incident - Having fall'n in our way, which if rightly consider'd may very much contribute to fortify the British Interest in Carolina, We thought it incumbent upon us to acquaint Yo^r Grace, that we conceive it may be for His Majties Service that some Treaty or Agreement

ment should be made by His Majesty's Order, with the Indian Chiefs of the Cherokee Nations before their Departure.

Your Grace is well apprized of what consequence the good understanding between His Majesty's Subjects of New York, & the 5 Indian Nations in their Neighbourhood has been of, to y^e British Interest, in those Parts. It may truly be said, That they are Our Frontier Guards, were always ready to Defend Our Settlements, and make war upon any other Nation when ever require them to do so.

We conceive this at present in Our power, to put the Cherokees upon y^e same footing, and certainly it would be of great Advantage to do so, - because they are a warlike People, and can bring Three Thousand fighting Men, upon Occasion into the Field.

There are many reasons might be Offer'd for doing this; the Opportunity & the present Disposition of the People, who seem to expect it from us; for to return home again after so solemn an Embassy without doing any thing of this sort, far from increasing would weaken the Friendship at present subsisting, between His Majesty's Subjects, & these People, to which may be added, that

that in such a Treaty, words may easily be inserted, acknowledging their Dependence upon the Crown of Great Britain. Which Agreement remaining upon Record in Our Office, would in future Disputes, with any European Nation greatly strengthen Our Title in those parts com to all the Lands which these People now possess.

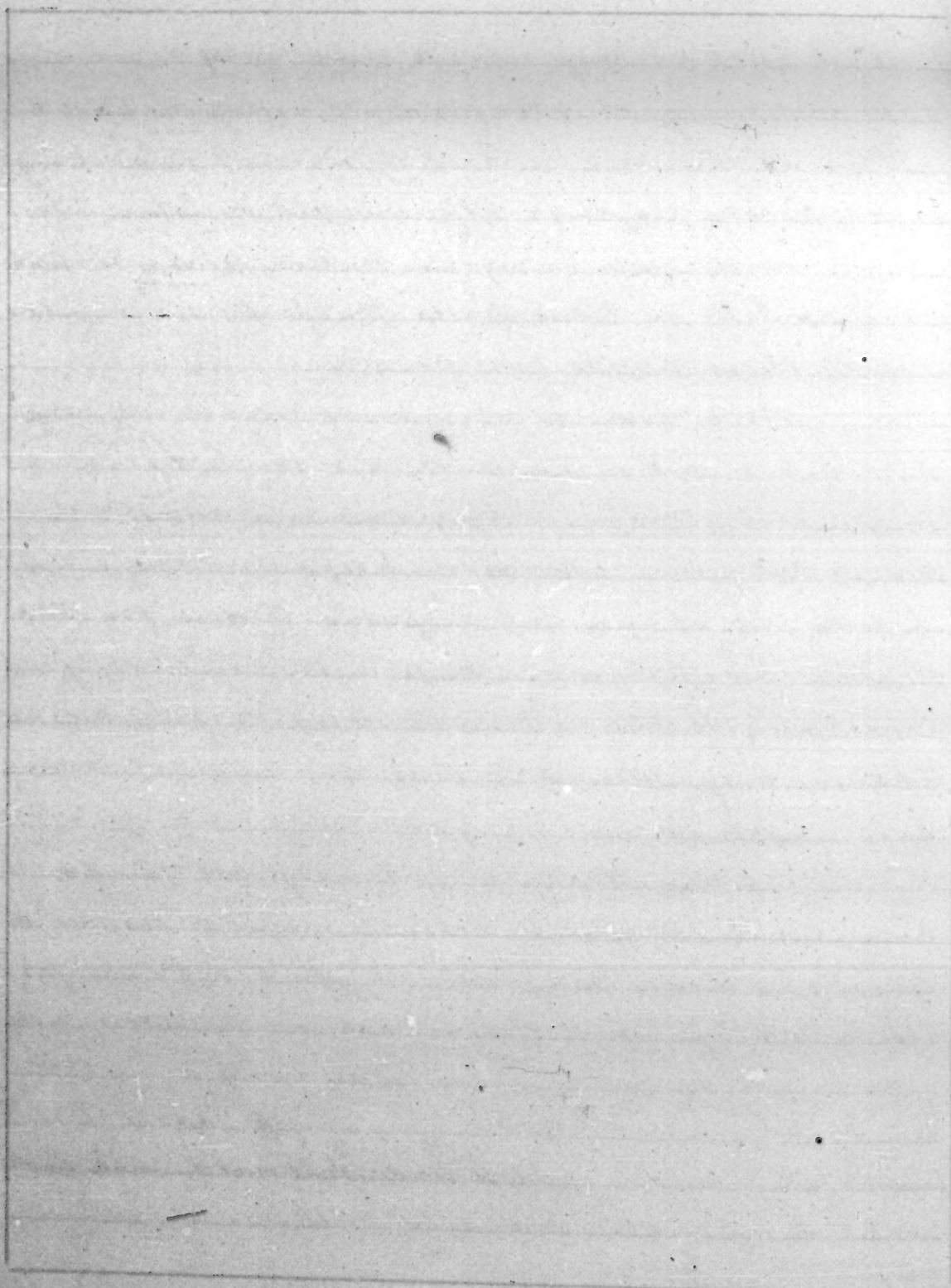
But however Beneficial that Work may be we did not think it proper to undertake it, without His Majesty's Approbation, & therefore we desire Yo^r Grace would be pleased without loss of time, to obtain His Majesty's Orders for that purpose. for y^e Indian Chiefs, will very shortly, return again to their Own Country, & if so far an Opportunity should be lost, we may not perhaps have another.

As this Treaty is to be only wth Savages, we presume His Majesty's Order, signified to us by Yo^r Grace in a Letter, may be a sufficient Power for us to Act by upon this Occasion. We are

My Lord

Yo^r Grace's

Most Obedient, and most humble Serv^t
 Jo. Brudenell, M. Bladen, J. Pelham.



B P R. O. South Carolina B I Vol 4 C 109

(20th August 1780)

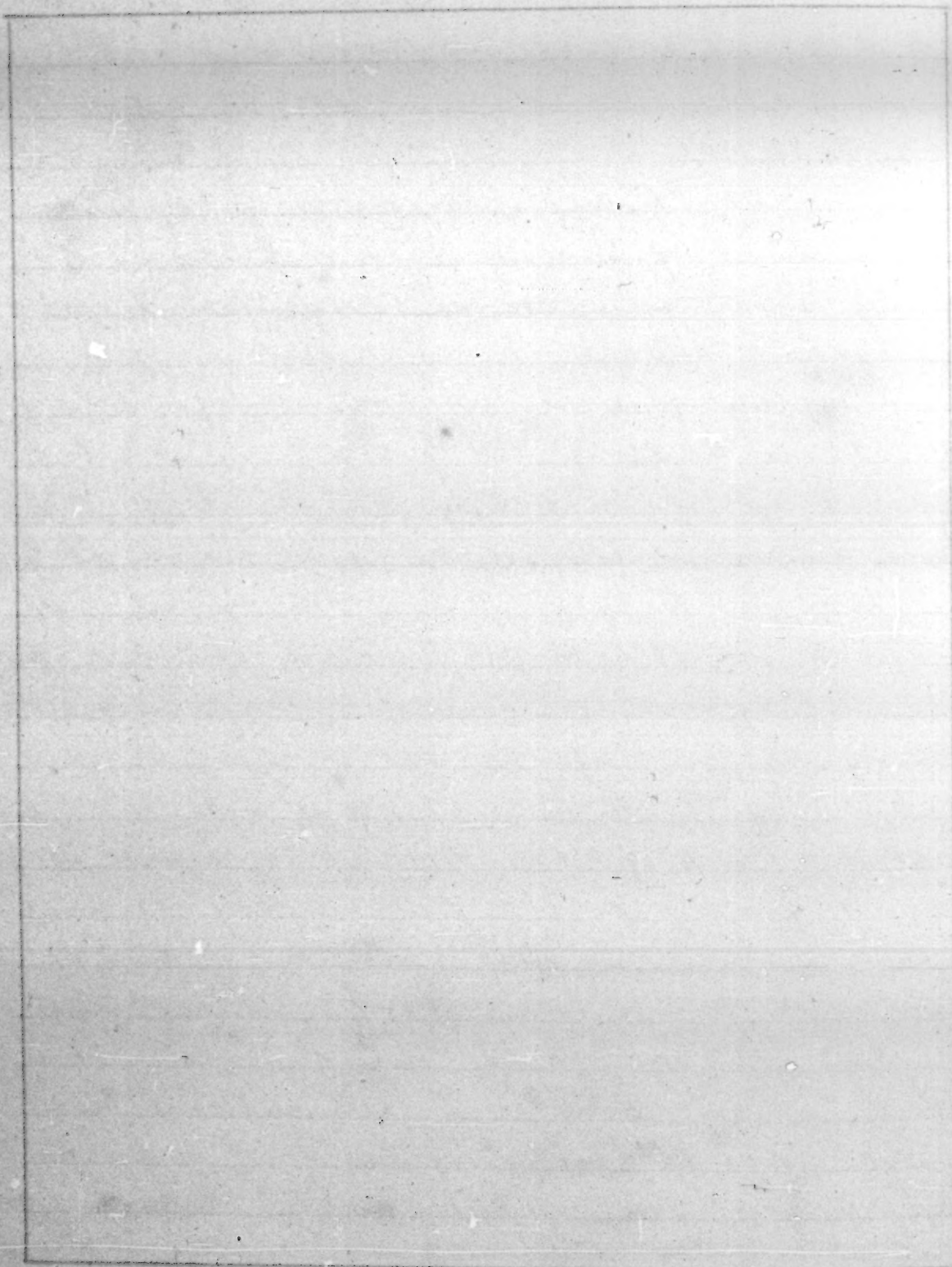
South Carolina.

Form of a Declaration or Agreement
prepared by Sir William Muth, to be
made with the Chiefs of the Cherokee
Indians.

Recd } August 20th 1780
Read }

C 109

(This Pap^r missing)



B. I. R. O. South Carolina B. I. Vol 4 6110

(26th August 1780)

My Lords.

A Planter in Carolina sent Me some time ago a Parcel of Seed, desiring I would try it, and see of what use it would be, for if it turn'd to account South Carolina could with ease produce any Quantity of it. By an Experiment I found twenty One Pounds Weight of Seed produced near Nine Pounds of good Oyl; of which more than Six Pounds were cold drawn and the rest by fire. I take the Liberty to send your Lordships some of the Oyl and Seed, as I have sent a larger Quantity to the Lords of the Treasury, who have order'd it to the Royal Society. The name of the Seed is Sesamum it grows in great Abundance in Africa and Asia, and the Inhabitants of those Parts eat it, as well as use it for several other Purposes. Many and many other good Authors Ancient and Modern treat of this Seed. It rejoices in the Fine Barren Land (which is generally a light Sandy Soil) and an Acre produces about 20 or 25 Bushels and each Bushel weighs about 52^{lb} and 52^{lb} yield Eleven Quarts of Oyl. It grows with very little Culture A friend of mine

mine will have a great Quantity of it here before
 next Christmas, This Seed will make the Pine Barren
 Land of equal Value with the Rice Land, The Oyl
 will be of great Use in Our Woolen Manufacture
 and is for many purposes even preferable to Oyl
 Olive. I had sent this Account much Sooner, but
 very ill health prevented me. I am with the greatest
 respect.

My Lords

Your Lord^{ts} most Obedient and most
 humble Servant

26th Aug^t 1730

Lords of Trade

The Lowndes

Recd

Recd { Aug^t 26th 1730

B. P. R. O. South Carolina B. I. Vol. 11 6m

Windsor Castle August 31st 1730

My Lords

I have laid before the King your letter of the 20th Instant; proposing the making of some Treaty or Agreement with the Indian Chiefs of the Cherokee stations, who lately came hither from that Country, and are shortly to return home; which His Maj^{ty} is pleased to approve, and to direct, that you should make such Agreement, and in such manner, with the said Indian Chiefs, as you shall think for His Maj^{ty}'s Service. I am

My Lords

Your Lord^{sh}

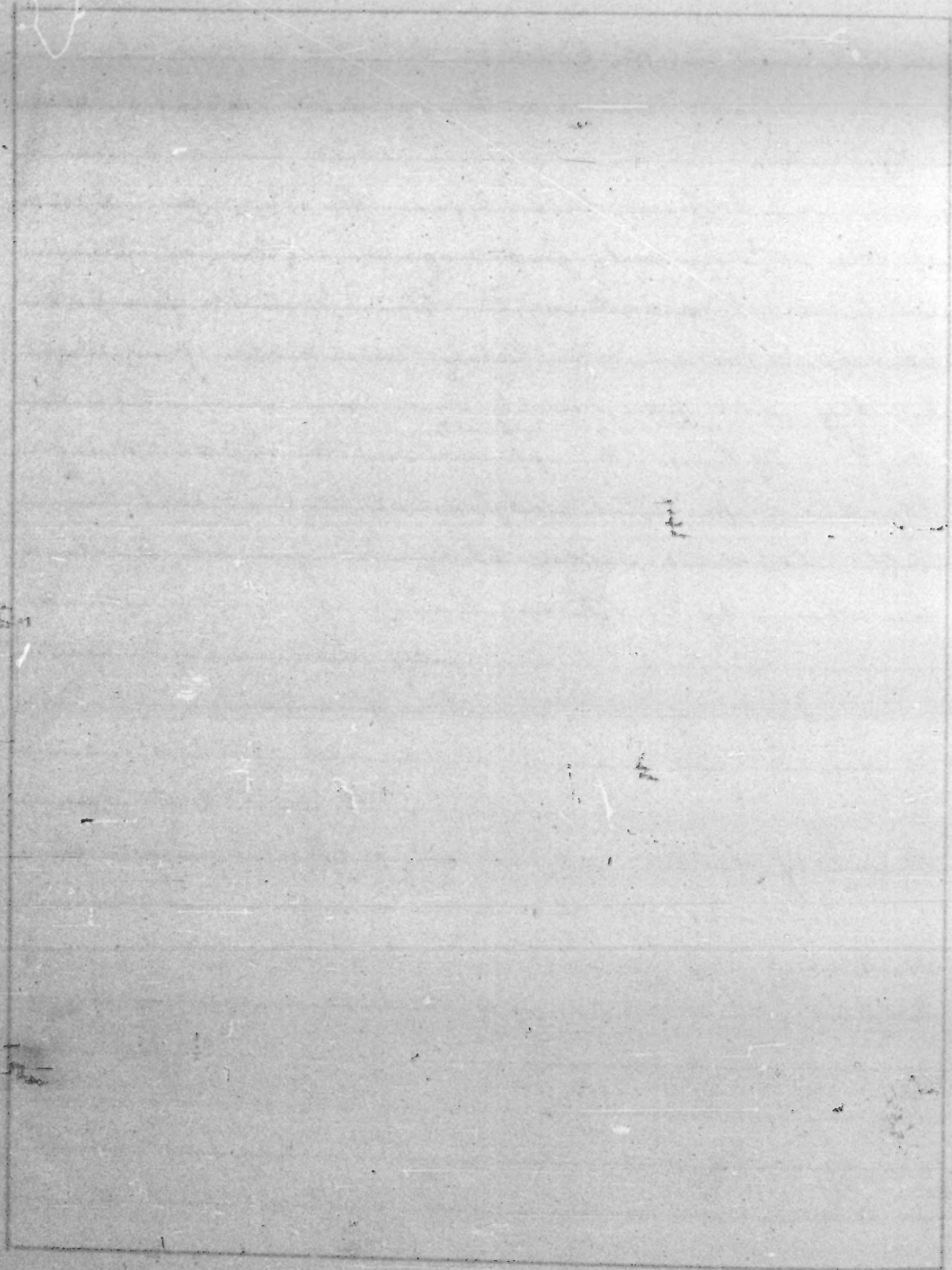
most obedient

humble servant

Robert Newcastle

Board of Trade

Recd } Sept: 1st 1730
Read }



B P R O A r H I Vol 621

(31st August 1790)

Sir

The Subject I am writing about having Reference to Publick Commerce, I know your Honour, the engaged in Business of the greatest Consequence, will grant me the Liberty to observe to you, That a Planter in South Carolina sent me, some time ago a Parcel of Seed, desiring I would try it, and see of what use it would be; for if it turned to Account, that Province could with ease produce any Quantity of it. By an Experiment I found Twenty One Pounds Weight of Seed produced near nine Pounds of good Oyl, of which more than Six Pounds were cold drawn, and the rest by fire. I take the liberty to send your Honour some of the Oyl and Seed, as I have sent a much larger Quantity to the Lords of the Treasury, who have ordered it to the Royal Society to examine my Experiment. I have also sent the Lords of Trade some of it. The Name of the Seed is Sesamum, it grows in great Abundance in Africa and Asia and the Inhabitants of those Parts eat it, as well as use it for several other Purposes. Pliny and many good Authors both Ancient and Modern treat of this Seed

Seed. It rejoices in a light Sandy Soyl and an Acre produces from 20 to 26 Bushells, and each Bushel weighs about 52^{lb} which will yield near Eleven Quarts of Oyl. It grows with very little culture. The Oyl may be of very great Use in Our Woolen Manufacture, and is for many purposes even preferable to Olive Oyl; of which Commodity about 5000 Tons are Entred annually at the Port of London.

Your Honour knows what good Effect, the making some Pott Ash in Our Plantations has had in the last Contract, with the present Garina, for that Commodity. I am with the greatest respect

Sir

Your Honour's

most Obedient and most obliged humble

Servant

3rd Aug^r 1730

Tho: Lowndes

B. P. A. O. South Carolina B. T. Vol 15 C. ms.

(9th September 1730)

At the Council Chamber Whitehall
the 9th day of September 1730

By a Committee of the Lords of His
Majestys most Honourable Privy Council

The Lords of the Committee, this day taking
into Consideration, a Representation from the Lords
Commiss^{rs} for Trade and Plantations, dated the twenty
third of July last (a Copy whereof is hereunto annexed),
relating to the Settling Six hundred Swiss Protestants
in Carolina, And approving of what is therein pro-
posed Are hereby pleased to Order, the said Lords
Commiss^{rs} do prepare a Draught of Instructions for
his Majestys Governor of South Carolina, Agreeable
thereto, except only in that part, where the said
Lords Commissioners propose, that the said Swiss
Families shall dwell together in One or more Town-
ships. As to which, The Lords of the Committee are
of Opinion, that they should not be confined to dwell
together, but that the Governor should be left at
liberty to settle them in such place, and manner,
as shall be Judged most conducive to the Interest and
Security of the said Province. And the said Lords
Commissioners

commissioners for Trade, are to lay the said Draught of Instructions, before this Committee.

Temple Stanyan

(Enclosure)

To the Kings most Excellent Majesty
May it please your Majesty

During Your Royal Fathers Reign Mons^r Jean Pierre Pury, of Neufchatel in Switzerland was recommended by His Majestys Ministers at Paris, as a person well qualified for the making a Settlement of Swiss & Protestants in Carolina, and this Board having received several Memorials from the said Mons^r Pury did in the Year 1720, recommend to the late Lords Proprietors of Carolina, to give him all reasonable Encouragement for the carrying on a Design so advantageous to that Province where there are not at present above three thousand White Familys, tho it be the Southern Frontier of the British Colonies in America, and lies much exposed both to the French and Spanish Settlements in those Parts.

Accordingly the said Lords Proprietors under the Seal of that Province, did make several Grants in Trust for the said Pury, amounting to the Number of

of Forty eight thousand Acres, which Grants containing certain Conditions, to be performed by the said Lords Proprietors, which were never complied with, that Scheme proved abortive, and those Grants are now become void.

But the said Purry has lately made fresh Application to this Board, and proposed to settle Six Hundred Swiss Protestants in Carolina including Women and Children at their own expence, within the Space of Six Years to be accounted from Christmas next, on condition that the said Six Hundred Swiss shall be received and treated there as Your Majesty's own Subjects and intitled to the same Priviledges; Provided also that your Majesty shall be graciously pleased to grant the said Purry, in Consideration of his trouble, labour and expence, Twelve Thousand Acres of Land in that Province, to him and his Heirs free from Quit Rents.

Whereupon having consulted with Col Johnson Your Majesty's Governor of South Carolina, considering that the present Quit Rent upon Twelve Thousand Acres of Land there, would only amount to about Eighteen Pounds Sterl ^p Annum; We are humbly of Opinion it might be for Your Majesty's Service, that the said Purry's Request in this particular should be complied with upon the following Conditions.

First that the said Swiss, or at least so many of them as are of a competent Age for that purpose upon
there

their Arrival in Carolina respectively, do take the usual Oaths of Allegiance to Your Majesty.

That after they shall have taken the said Oaths Lands be Assigned them by Your Majestys Governor, where they shall dwell together in one or more Townships, in such Place and manner as may be most for the Security of the said Province.

That the said Purry shall not be intituled to the twelve Thousand Acres by him demanded till the Service undertaken by him shall have been fully performed, and that it shall appear to your Majestys Governor there, by Certificates from one or more Officers of the Customs in that Province that the said Purry hath imported or caused to be imported into South Carolina Six Hundred Swiss Protestants including Men Women and Children within the term of Six Years, to be reckoned from Christmas day next.

And if Your Majesty shall be pleased to approve of this proposall, we shall prepare the proper Instructions for Your Majesty's Governor for the due Execution thereof

Whitehall July 28th 1730. Which is most humbly Submitted

Recd Sept^r 15th
Recd Oct^r 15th } 1730

M. Braden

P. Deominique

J^r Brudenell

J. Pelham

B. I. R. O. South Carolina B. I. Vol 15 L 112

(15 Sept 1786)

To the Right Honble The Lords Comiss^{rs} of Trade
and Plantations

The humble Memorial of Sir Alexander Cumming Bart
Sheweth

It is the desire of the Chiefs of the Cherokee
Nation here present that Your Memorialist Should give
an Answer to three of the Articles proposed to them
by His Majesty, which they have purposely Omitted to
Speak to, as knowing that their Crown, Eagles Tails
and Scalps of their Enemies were intrusted to Your
Memorialist, and not to them, by their Emperor Majesty
of Teltique, and that they themselves their other Kings
Princes, and beloved Men of their Nation consented to
the Same, and that they should Obey all your Mem-
orialists Directions.

They came not to England in order to Enter
into any Agreement for themselves, but they came at
your Memorialists Desire as Friends to him, and to be
themselves an Evidence of the Truth (viz^t) that they
Submitted themselves to His Majesty, and that Your
Memorialist required it of them.

As Your Memorialist was neither sent nor
pretended

pretended to be sent by His Majesty into their Country, altho He had His Majestys Leave of Absence to travel where he pleased, and went among them as a Friend, So the Submission being made only to him, whom they saw and Confided in, Your Memorialist is not only answerable to His Majesty for their Obedience and good behaviour, but is likewise Answerable to God and his own Conscience for a due care of them.

They have chose Your Memorialist for their Director, and if His Majesty approves of it, He shall Direct them for their own Good and for His Majestys Service.

Recd Sept^r 13th
 Read Oct^r 29th } 1730

B. P. R. V. South Carolina (B.T.) Vol. 25. p. 387.

Whitehall

Sep: 8th 1730.

To Rich^d Arnold. Esq^r:

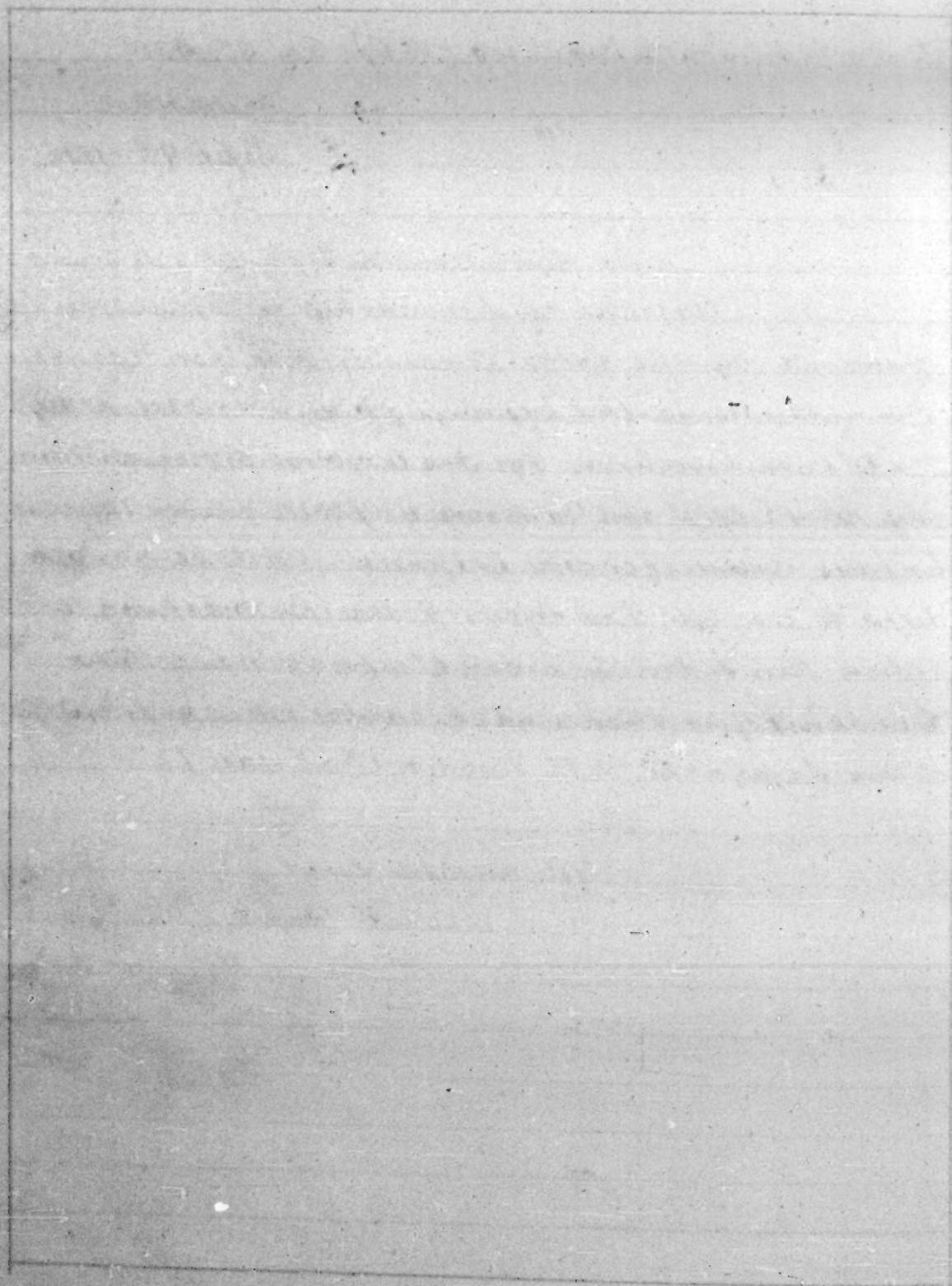
Sir,

The Indian Chiefs being again to attend my Lords Commissioners for Trade & Plantations tomorrow morning, I am to desire you will please to issue another Order, for two Serjeants and Twelve Grenadiers to attend this Office tomorrow morning, between Ten & Eleven a Clock, and to receive their Directions from hence, as you mentioned in Your last Order. I am,

Sir,

Y^r humble Serv^t

Alured Apple.



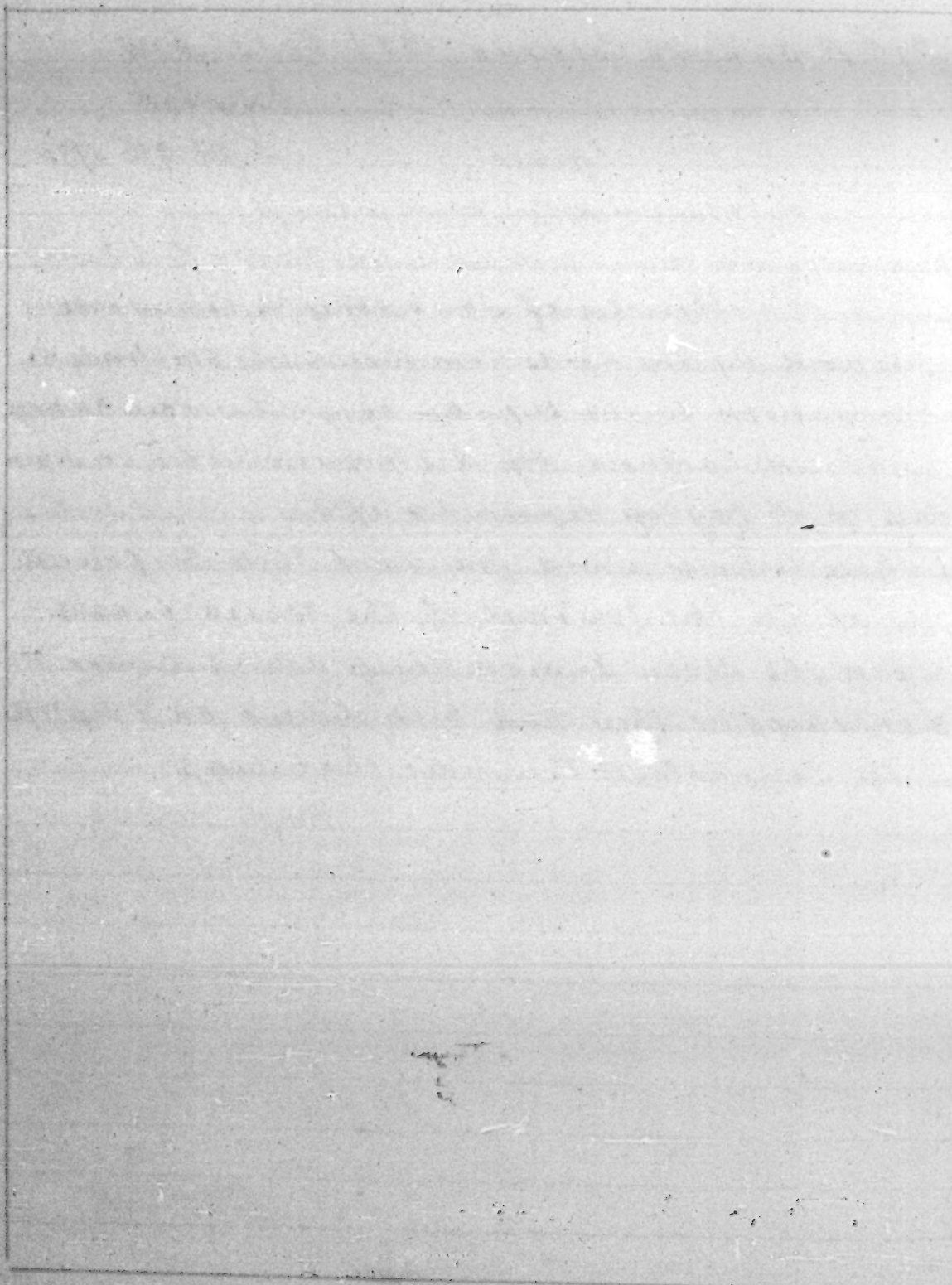
B. P. R. C. South Carolina (B.T.) Vol. 25. p. 308.

Whitehall

Sept 9th 1730

Articles of Friendship & Commerce -
proposed by the Lords Commissioners for Trade &
Plantations to the Deputy's of y^e Cherokee Nation
in South Carolina, by His Majesty's Order, on Mon-
day y^e 4th Day of September 1730.

[These Articles word for word will be found
copied in the Journal of the Board of Trade -
when the seven Indian Chiefs attended their
Lordships as they had been desired on 4th Sept^r 1730
- see Journals, B. T. under that date]



274
B. P. R. O. South Carolina B. D. vol 3

Q1 At the Court at Windsor the 17th of September 1730

Present

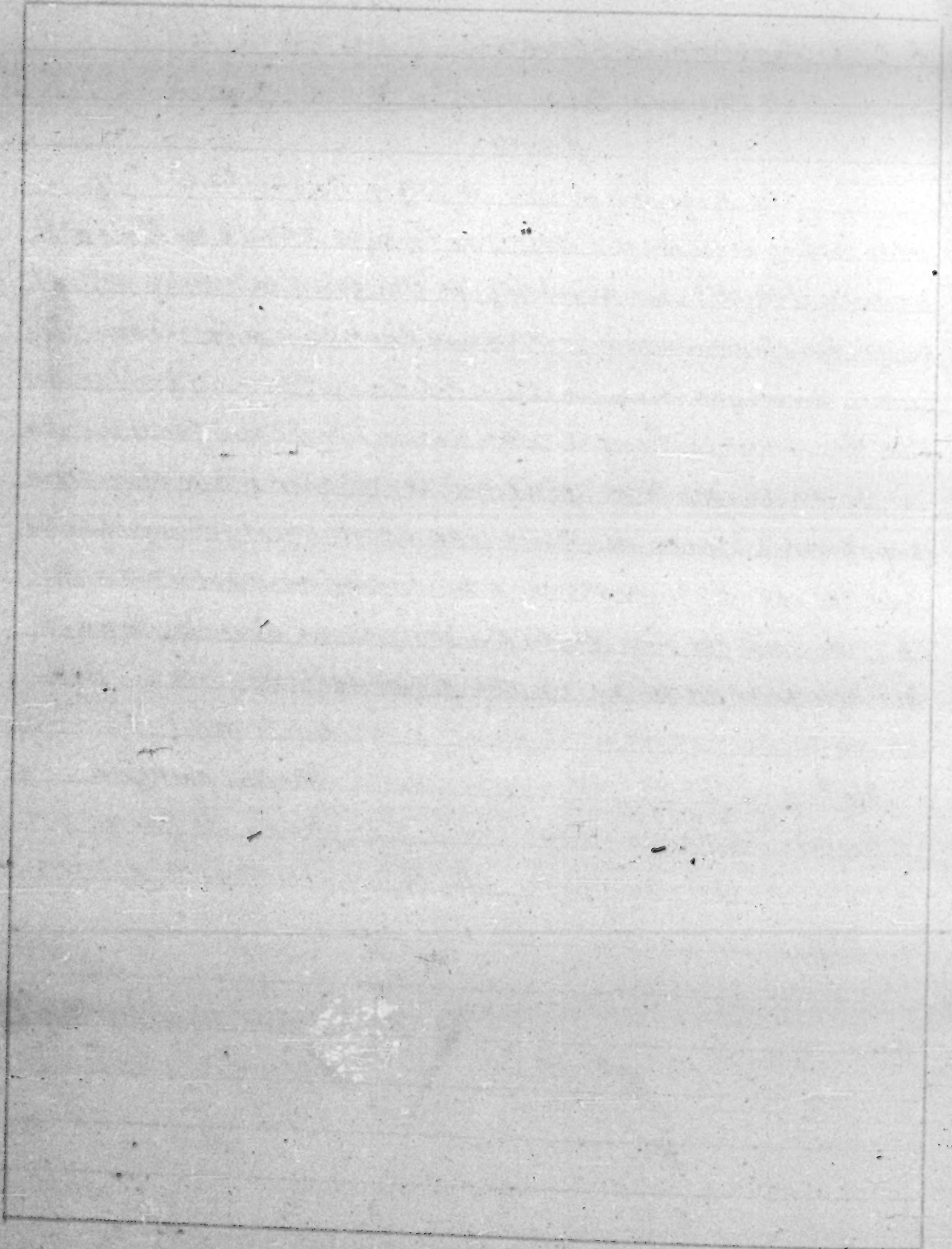
The Kings Most excellent Majesty in Council

Upon reading at the Board a Report from the Right Honorable the Lords of the Committee of Council upon considering two Draughts of Instructions prepared by the Lords Commissioners for Trade and Plantations for Robert Johnson Esq Captain General and Governor in Chief of His Majestys Province of South Carolina And their Lordships offering it as their opinion that the said Drafts were proper for His Majestys Royal Approbation. His Majesty in Council was this day pleased to approve thereof and to order as it is hereby ordered that His Grace the Duke of Newcastle one of His Majestys principal Secretaries of State. Do cause the said Drafts of Instructions (which are herewith annexed to be prepared for His Majestys Royal signature

A true copy

Temple Stanyan

Rec^d }
Read } 10 Nov 1730



B. P. R. V. South Carolina (B. T.) Vol. 26. p. 1.

Whitehall

30 Sept 1790.

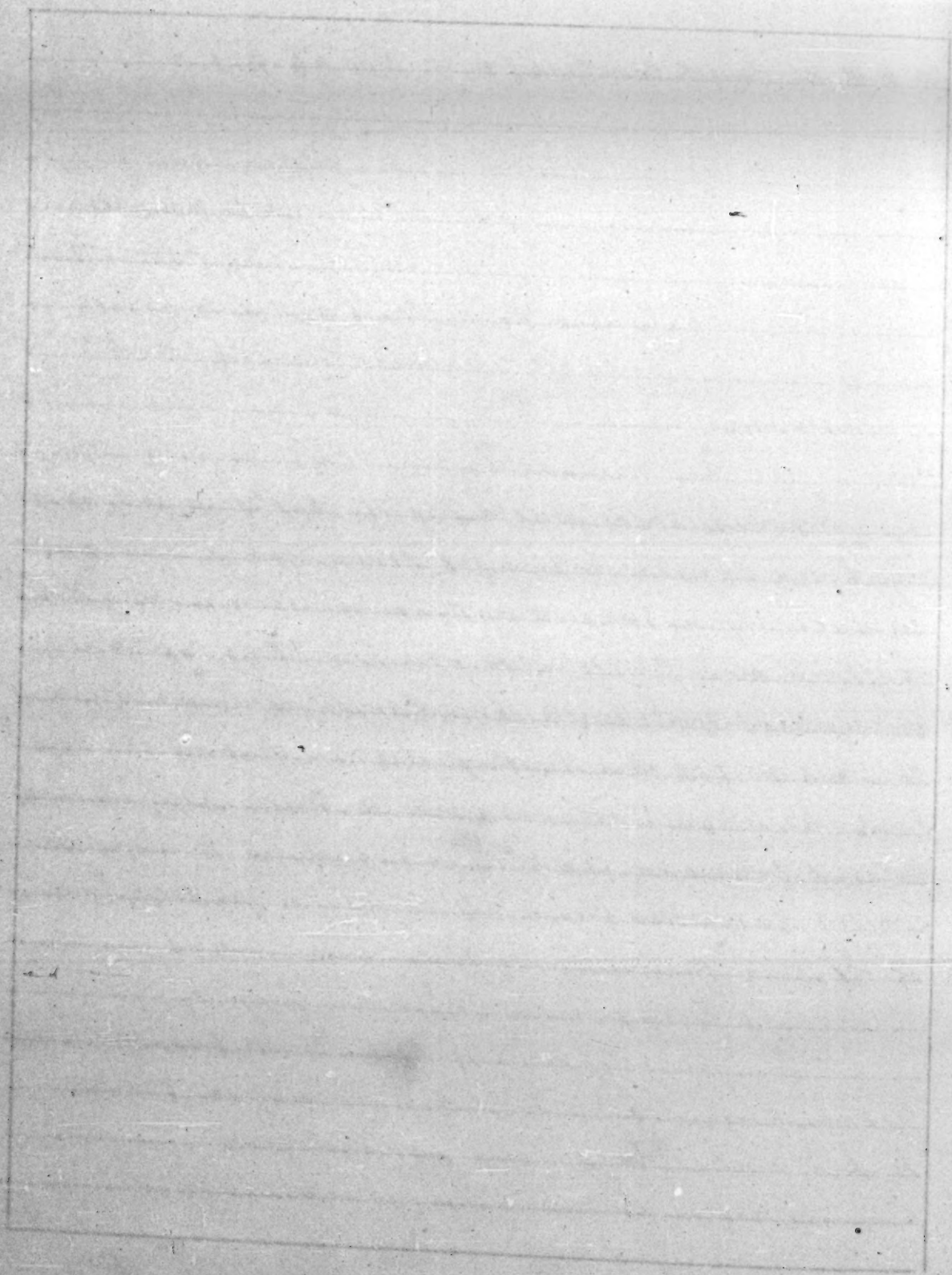
To Mr. Alexander Cuming, Bart.

Sir,

Having laid your Letter of this Days date before my Lords Commissioners for Trade and Plantations wherein you Express and Inclination to keep One of the Indian Chiefs with you here, I am Comanded to acquaint you with their Lords^{ts} Opinion, that it will be for His Majesty's Service that all the said Indians should return back to South Carolina with Colonel Johnson. And their Lordships do desire you would persuade them all to return together, I am

Sir,

Your most humble Servt
Alured Apple.



Whitehall.

Sept 30. 1730.

To His Grace the Duke of Newcastle.

My Lord.

His Majesty having been pleased to Direct by your Graces Letter to us of the 31st of August last that we should make such Treaty or Agreement, & in such manner as we should think proper for His Majestys Service with the Indian Chiefs of y^e Cherokee Nation; We have had two Meetings with them, and have made them certain Proposals, to which we have received their Answer, and full Consent, this being the usual manner of Treating with the Indian Nations in America.

We take leave to inclose to your Grace Copies of the said Proposals & of their Answers that you may be pleased to lay them before His Majesty.

Your Grace will observe, that there is a full Acknowledgment in this Agreement of their Subjection to His Majesty and altho' our Proposals and their Answers are in an uncommon style, it is such as is
-best

best understood by them, and is the same which is always made use of upon the like Occasions.

As the said Indians seem fully Satisfied both with their Agreement and with the Treatment they have met with since their Arrival in England, we have reason to hope, the small Expence His Majesty has been at upon this Occasion, is well laid out for his Service and for the Interest of his People in Carolina, We are,

My Lord,

Your Graces,

Most Obedient and Most Humble Servants

D. Odominiquis

M. Bladen.

Ja. Brudenell.

B P R O. South Carolina B I vol 11 6 113

(30th September 1730)

S:

I beg the favour of you to Acquaint the Lords Commissioners of Trade, that there is one of the Indian Chiefs who desires to stay with me, and He being no party to the Articles of Agreement I know not how to refuse him lest the others should think that I am dissatisfied with what has been done, although I have assured them that I am entirely pleased with their conduct and the kind reception they have met with from Your Honourable Board. I am

Sir

Your most humble Servant
Alfred Cunningham

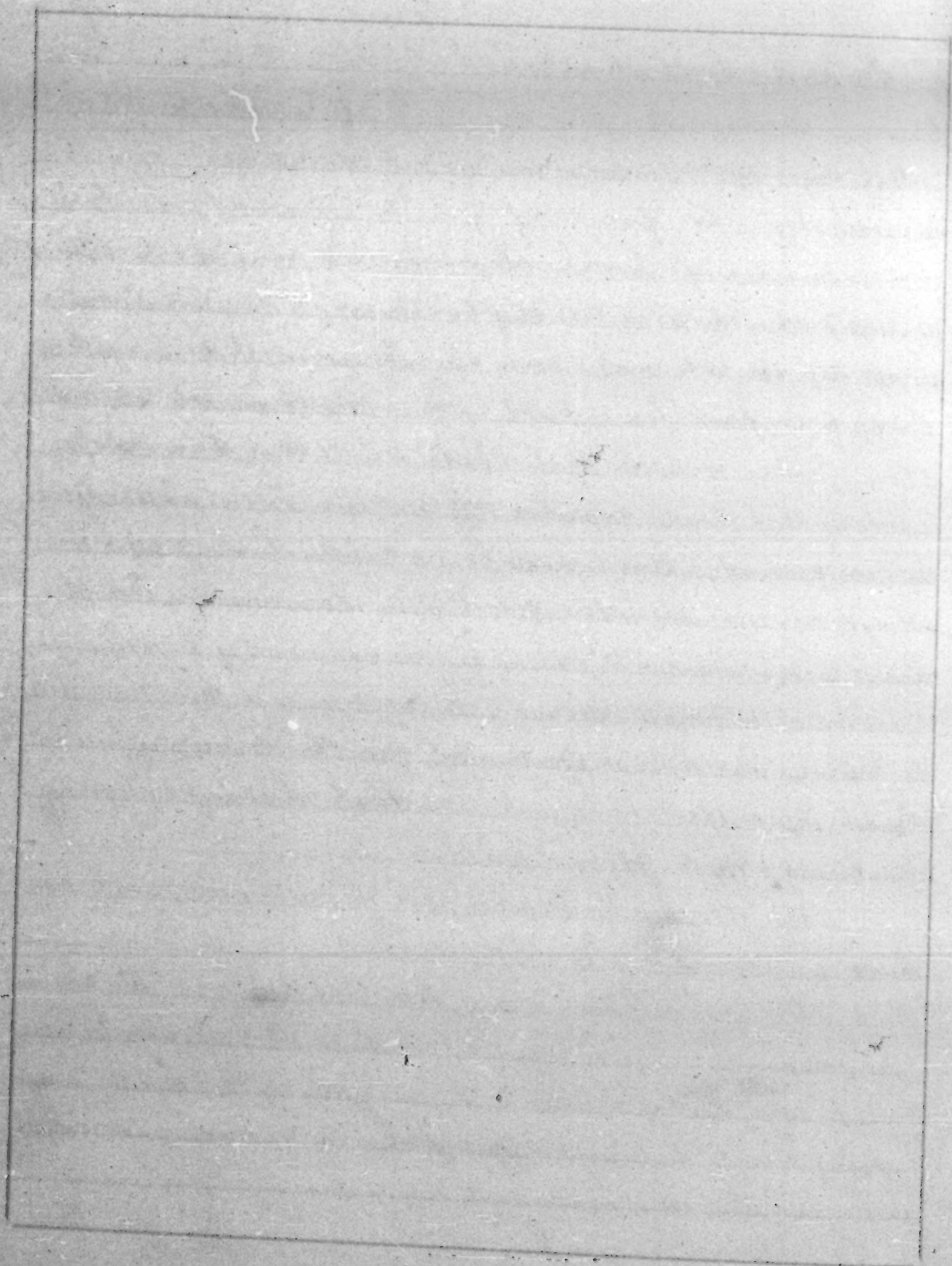
London Sept 30 1730

To Alfred Popple Esq.

Recd

Recd

} Septem^r 30 1730



B. P. R. O. South Carolina B 3 Vol 5

Q5

6 October 1730

To the Right Hon^{ble} the Lords Comm^{rs} for Trade & Plantations

My Lords

In obedience to your Lordships commands signified to me by Mr
Hopples Letter of the 14th of June last transmitting to me the Memorial of
several Merchants trading to South Carolina desiring that the Laws re-
lating to the Execution of Justice in that Province might be reviewed

I have considered An Act for the better settling the Courts of
Justice in that Province passed in 1726 part of which Act which alters
the first process in Civil Actions from a Summons to a Capias the
Merchants represent to be liable to many inconveniences both with
regard to the Method of proceeding and the Expence of it for they say
by reason of the frequent absence of the Inhabitants in their Trade with
the Indians and the distance they live from Charles Town it will be
almost impossible to bring a defendant into Court but by leaving
a summons at the place of his Abode

And they say the Expence upon this Alteration from a sum-
mons to a Capias will be greatly increased

I beg leave to observe to your Lordships that in our Law process
a summons is always supposed to be made in the first instance and
therefore I can have no objection to the instituting in this case the Sum-
mons instead of the Capias supposing it is the least expensive way of
proceeding and the most speedy to obtain Justice

But

But I must submit it to your Lordships consideration in what manner this can be altered for this is a Clause in An Act the other parts of which the Merchants very much approve of and therefore are unwilling to have it Repeated

Whether your Lordships would think it of that consequence to recommend it to the Governor of that Province to Endeavor to get it amended by a subsequent Act I must submit to your Lordships great Wisdom

Rec^d 14 Nov 1730 }

Read 24 Mar 1730 }

281
B. R. R. O. South Carolina (B.T.) Vol. 26. p. 4.

Whitchall,

Oct. 21st 1730

To the Right Hon^{ble} the Lords of the Committee
of his Majesty's most Hon^{ble} Privy Council.

My Lords.

Pursuant to Your Lordships Order to this
Board, of the Ninth of September last, we now send to
Your Lordships a Draught of Instructions to his Ma-
jesty's Governor of South Carolina, for the Regulation
of his Conduct in the Settlement of six hundred
Swiss Protestants in that Province which are pro-
posed to be transported thither by M^{rs} Jean Pierre
Perry of Neuchatel in Switzerland, we are

My Lords,

Your Lordships,

Most obedient and most humble Serv^{ts}

P. Oecuminique

J. Pelham

M. Bladen.

La. Brudenell.

[Enclosure]

Additional Instruction to Our Trusty
to Wellbeloved Robert Johnson Esq, Our
Captain General & Gov^r of South Carolina
in America, &c to the Comm^r in Chief
of the said Province, for the time being
Given &c.

Whereas the Sieur Jean Pierre Purry of Neuf-
Chatel in Switzerland, was in the Year 1735, recommend-
ed by Our Commissioners for Trade and Plantations to
the late Lords Proprietors of Carolina as a person well
qualified for the making a settlement of Swiss Protest-
ants in that Province; And whereas the several Grants
of Land amounting to 48,000 Acres, made to him by
the said late Lords Proprietors upon that Recom-
mendation, being now become void, because certain
Conditions contained therein to be performed by the
said Lords Proprietors were never complied with; the
said Purry has lately renewed his Application to Our
said Commissioners for Trade, and proposed to settle
600 Swiss Protestants in Carolina, including
Women & Children at their own Expence, within the
Space of Six Years to Commence from Christmas next
upon Condition that they be received, treated there, -
and

And intituled to the same Privileges as Our Own Subjects; and Provided we do Grant to the said Purry and his Heirs, in Consideration of his Trouble, Labour and Expence 12,000 Acres of Land in that Province, free from Quit Rents.

Now having considered the said Purry's Proposal, together with the Opinion of Our Commissioners for Trade & Plantations thereupon, We are graciously pleased to agree thereto, upon the following Conditions.

First that the said Swiss, or at least so many of them as are of a competent Age for that purpose, do take the usual Oaths of Allegiance to Us, upon their Arrival in Carolina respectively.

That after they shall have taken the said Oaths You do Grant them Lands, and settle them in such Place, & in such manner as you shall judge most Conducive to the Interest and Security of the said Province.

But you are to take Notice, That the said Purry, is not Entitled to the 12,000 Acres of Land by him demanded, for himself and his Heirs, until it shall appear to you, by Certificates from One or more Officers of Our Customs in that Province, that the said Purry hath Imported, or caused to be Imported into

into South Carolina, according to his Proposal 600
Swiss Protestants, including Women and Children
within the Term, of six Years to Commence from
Christmas day next.

Upon which Certificates, you are hereby
impowered to Grant unto the said Purry, and his
Heirs for ever Twelve Thousand Acres of Land ac-
cording to the prayer of his Petition.

B P R O South Carolina B 3 vol 5

Q 2 At the Council Chamber Whitehall 23 November 1730

By a Committee of the Lords of His Majesty most Hon^{ble} Privy Council His Majesty having been pleased by His Order in Council of the 17th of September last to refer unto this Committee The Humble petition of the Right Honourable the Lord Viscount Percival the Hon^{ble} Edward Digby and several others whose Names are thereunto subscribed setting forth that the City of London and Westminster and parts adjacent do abound with great numbers of Indigent persons who are reduced to such necessities as to become burthensome to the public and who would be willing to seek a livelihood in any of His Majesty's plantations in America if they were provided with a passage and means of settling there And humbly proposing to undertake the trouble and charge of transporting all such poor persons and families provided they may obtain a Grant of Lands in South Carolina for that purpose together with such powers as shall enable them to contract with persons inclinable to settle there and to receive the charitable Contributions and benefactions of all such persons as are willing to encourage so good a design The Lords of the Committee this day took the said petition into their Consideration and are thereupon pleased to order that a Copy thereof (which is hereunto annexed Be and is hereby referred to the Lords Commissioners for Trade and plantations to consider of what is therein proposed and of the most proper methods to render the same of most service to the public and make report thereof to this Committee as soon as they conveniently can-

Ja: Vernon

Enclosure

(Inclosure)

To the Kings most Excellent Majesty in Council

The humble petition of the Right Hon^{ble} the Lord Viscount Percival
the Hon^{ble} Edward Digby, the Hon^{ble} George Carpenter James Ogles-
thorpe, George Heathcote, Thomas Jones Robert More Robert Hicks
Robert Holland William Sloper, Francis Eyles, John Laroche James
Bernon, William Belitha Esq^{rs} The Rev^d Stephen Stales, John
Burton, Richard Bundy Arthur Bedford and Samuel Smith
W^m Adam Anderson and Thomas Coram

Humbly Sheweth That the City of London and Westminster and parts
adjacent abound with great numbers of Indigent persons who are reduced
to such necessities as to become burthensome to the public and who would
be willing to seek a Livelihood in any of your Majesty's plantations
in America if they were provided with a passage and means of settling
that your petitioners being desirous of promoting an undertaking so
beneficial to the public and well assured of considerable Contributions
for carrying on the same Do humbly represent to Your Majesty that
they are willing to undertake the trouble and charge of transporting
such poor persons and Families provided they may obtain a Grant of
Lands sufficient for that purpose together with such powers as shall
enable them to contract with persons inclinable to settle in America
and to receive the charitable Contributions and Benefactions of all such
persons as are willing to encourage so good a design

And we further humbly represent to Your Majesty that great
tracts

of Land within the Limits of South Carolina are by the Agreement between your Majesty and the late Proprietors of that Province vested in your Majesty and that on the Southern part of the said Province the whole Tract of Land between the River Savanna and Matamaha hath been hitherto unsettled by reason of oppositions given to them from their Indian and other Neighbours And that it would be of great service to yo^r Majesty's Province of South Carolina and in some measure to all your Majesty's plantations on the Continent to which this Province is a Southern Frontier that there should be such a settlement on the said Lands as would be capable of defending themselves against any Incursions And by being a Barrier to South Carolina will occasion the taking up and settling many hundred Thousands of Acres of Your Majesty's Land lying between the said proposed settlement on the River Savanna and Charles Town which for want of such protection have hitherto remained Waste and uncultivated and in particular that large and fruitful Tract called the Yamasee Lands

The premises therefore considered your petitioners humbly pray that Your Majesty would be pleased to Grant them the said Tract of Land for the aforesaid purposes and also Your Royal Charter of Incorporation whereby they may be enabled to enter into Contract with such Families as will settle thereon and to receive the charitable Benefactions of all such persons as are desirous to promote so good a work And likewise to be enabled to form such by Laws as will be necessary for the well ordering of the said intended Colony

. And

And your petitioners shall ever pray &c

Perusal. Robert Hicks Stephen Hales William Belisha Robert More
James Vernon. Thomas Dower George Heathcote James Oglethorpe Arthur
Bedford John Laroche Francis Byles Roger Holland William Sloper
John Burton. George Carpenter Thomas Coram. Samuel Smith
A. Anderson. Richard Bundy. Edward Digby

A true Copy

James Vernon.

Rec^d 1 30 Dec 1730
Read

B. P. R. O. South Carolina B. D. Vol 6

Q 3

Old Palace Yard Westminster

To Alured Hopple Esq

7 Dec 1730

Sir

Pursuant to the Orders of the Gentlemen Petitioners to His Majesty for the Establishing of Charitable Colonies in America I send you enclosed their Memorial which they have drawn up pursuant to the directions they have received from the Right Hon^{ble} The Lords of Trade &c

I desire you would lay the same before their Lordships and believe me to be

Your most obedient humble servant

James Oglethorpe

(Inclosure)

To the Right Hon^{ble} The Lords Comm^{rs} for Trade and Plantations

In answer to the several Questions your Lordships were pleased to make and in further explanation of the Subject Matter of our Petition we lay before your Lordships what we think necessary to render our Design (for relieving such poor Families as are desirous thereof by establishing themselves in America) effectual

First that His Majesty Incorporate the Petitioners by the name of the Corporation for establishing Charitable Colonies in America to have perpetual succession. To have hold possess enjoy and purchase £1000 per annum Inheritance in Great Britain and Estates for Lives or Years, Goods and Chattels of any value for the carrying on of the said purposes and to Grant

or

or demise for Thirty one Years in possession only without Fine at the full Rent or with Fine at the Mowth of the full value.

And by that Name to plead and be Impleaded

To have a Common Seal

To meet on the first of February or Twenty days after to choose proper Officers for the Year ensuing and Elect such Members for the Corporation as they shall think fit and shall appoint such further Meetings as the said Corporation shall think proper and shall make such By Laws & Constitutions as shall be thought necessary and repeal and revoke the same at their Will and pleasure and at any meeting may appoint fit persons to take Subscriptions and collect Money contributed for the purposes aforesaid

To have power of contracting with and sending persons into America and to receive and take by Grant, Gift, purchase and otherwise any Lands in America and cause public Notification of the said Charter to give an annual account to the Lord Chancellor the Chief Baron of the Exchequer the Masters of the Rolls for the time being or any two of them

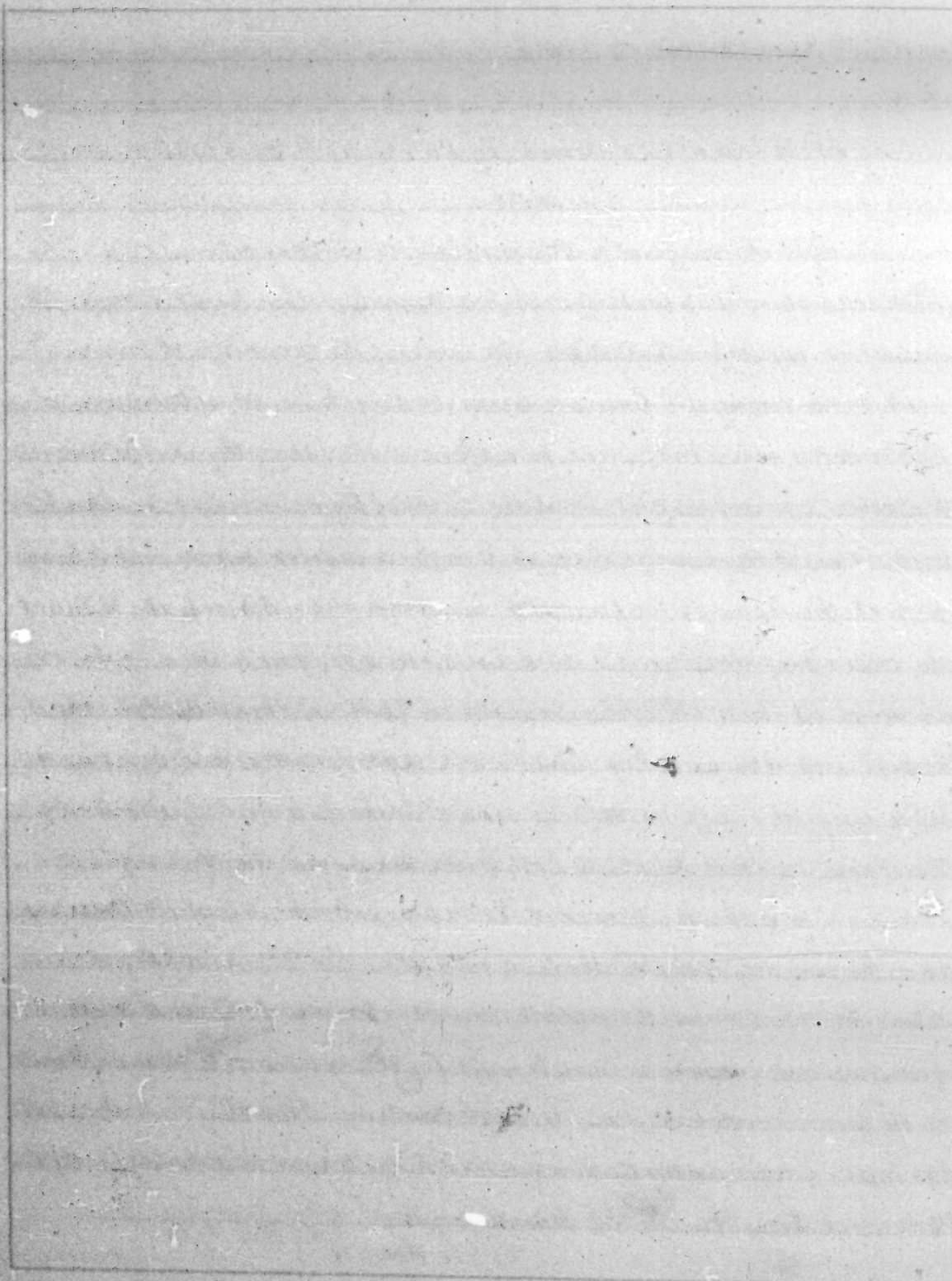
Secondly that after the petitioners are Incorporated his Majesty be graciously pleased for Incouragement of the said Charitable design unto the said Corporation to Grant the Rivers Savanna and Matamaha and all the Lands lying between the said Rivers and from the Mouth of the River Savanna all the Coast southward and as far as the Latitude of 14 degrees and the Islands directly opposite to the said Coast to hold of the Manor of East Greenwich in free and common soccage

And in relation to the regulation of the Intended Settlements the
propose

propose to your Lordships that this Corporation shall have full power and Authority to erect Courts of Record or other Courts to be held in the name of his Majesty for the hearing and determining of all and all manner of Crimes Offences pleas. processes. plaints Actions Matters and things arising between persons Inhabiting or residing within the said Limits whether the said Crimes be capital or not with Liberty of Appeal to King and Council where the matter in dispute shall be above £300

That the Corporation have a power of making Laws Statutes and Ordinances for the better regulation of and more effectual planting the said settlements so as the same do not contradict the Laws of England and be conformable to the Laws of Carolina with regard to the Trade Intercourse and Dealings with the Indians that the new settlements be not subject to the Laws of the Assembly of the said province and that the paper money shall have no currency there. that the Corporation shall appoint the Civil Officers necessary for the said Regulations who shall take Oaths to his Majesty before they enter upon their Offices. And that the said Civil Officers shall also train and exercise a militia and build Towns and Forts in proper places against the Incursions of the Indians for the defence of themselves and the security of South Carolina and that the Governor of South Carolina shall command the said militia the expence of the said militia whilst under arms to be defrayed by the intended settlements and be in no manner chargeable to South Carolina. That they have the same Exemption from duty as were granted to the province of Carolina by the Charter of King Charles the Second

Rec^d 4th }
Read 9th } Dec. 1730



B P R O South Carolina B 2 vol 5

Q8

At the Court of S^t James the 14th day of Decem^r 1730
Present

The Kings most Excellent Majesty in Council

Whereas there was presented to His Majesty at this Board a Report made by the Right Honorable the Lords of the Committee of Council upon considering an Estimate prepared by the Board of Ordnance of Stores necessary for the security and defence of the province of South Carolina amounting to the sum of Four thousand five hundred and Eight pounds nineteen shillings and seven pence. In which Report the Lords of the Committee humbly advise His Majesty to order the Stores contained in the said Estimate to be sent to the s^d province as soon as may be. His Majesty in Council this day took the s^d Report and Estimate into His Royal consideration and was pleased in regard to the great consequence of the said province which is a Southern Frontier to all the other provinces on the Continent of America to approve of the said Estimate and accordingly to Order as it is hereby ordered that the Stores contained in the said Estimate (a Copy whereof is hereunto annexed) be sent to the said province of South Carolina as soon as convenient may be and that the Expence thereof be made an Article in the next Estimate that shall be prepared by the B^d of ord^{ce} to be laid before the parliament and the Mast^r Gen^l of the ord^{ce} is to cause the necessary Directions to be given herein

A true Copy
Jas Vernon

(Inclosure)

(Inclosure) An Estimate of Stores for South Carolina pursuant to two orders
of Council dated 21st July and 15th August 1730 £ s d

Iron Ordnance	18 Pounders	120	845	0	0
	12 do	40	1400	-	-
	8 lb	12	220	1	-
Round Shot	18 Pounders	2000	102	10	-
	12 do	2000	108	6	8
	6 do	500	13	10	10
	Musquets	300	397	10	-
	Carbuck Boxes	300	62	10	-
	Swords	300	75	-	-
	Iron for 66 Carriages		183	3	-
	Saddles	66	33	9	-
	Formers	66	2	15	-
	Heads & Rammers	66	3	6	-
	Hand Bills	100	7	10	-
	Priming Irons	66	-	8	3
	Linoticks	30	2	5	-
	Drums	2	2	12	-
	Match	2 Tons	54	-	-
	Pole Axes	50	5	-	-
	Aprons of Lead	66	3	-	-
	Sheets of Cartridge paper	7000	14	n	8
	Lanthorns ordinary	6	-	10	0
	Do	4	-	14	0
	Muscovy Lights	14	2	14	0
	Power Horns	30	1	15	0
	Hand screws	4	11	0	0
	Pickaxes	50	11	10	0
	Shovels Iron	100	21	13	14
Flags	Union	3	11	8	0
	Red	1	2	0	0
	172 Tons Freight & Incidents w th £ Ton		860	0	0
	Total		£4308	19	7

Rec^d 10th
Read n^d } Aug 1731

L Smelt

B. P. R. V. South Carolina (B.T.) Vol. 26. p. 2.

Whitchall

Decr 14th 1730.

To the Right Hon^{ble} the Lords of the
Committee of His Majesty's Most Hon^{ble}
Privy Council.

My Lords,

Your Lordships having been pleas'd to refer
to us the Petition of the R^t Hon^{ble} the Lord Viscount
Percival, the Hon^{ble} Edw^d Digby, the Hon^{ble} Geo. Carpenter,
James Oglethorpe Esq^r, and several others, whose names
are thereto subscribed, setting forth, That the Cities of
London & Westminster, and parts Adjacent do abound
with great Numbers of Indigent persons, who are re-
duced to such necessity as to become Burthensome
to the Publick, and who would be willing to seek a -
Lively hood in any of His Maj^{ty}'s Plantations in Amer-
ica if they were provided with a Passage, & means
of settling there, And humbly proposing to under-
take the Trouble & Charge of Transporting all such
poor persons and Families, Provided they may ob-
tain a Grant of Lands, in South Carolina, for that
purpose

Purpose, together with such Powers as shall enable them to Contract with Persons inclinable to settle there, and to receive the Charitable Contributions & Benefactions of all such Persons as are willing to Encourage so good a Design, we have considered the several Particulars therein contained - And having Discoursed with the Petitioners thereupon, we have received certain Proposals from them relating to the Subject Matter of their Petition. whereupon we take Leave to Represent to Your Lordships.

That as the Petitioners Design appears to us, to be a very laudable One, in every Respect and may if happily Executed produce many good Effects to the Publick, we think it may deserve due Encouragement, and are humbly of Opinion, that it may be proper for His Majesty to Grant them all reasonable Powers, for the promoting and carrying on so good a Work, and therefore we would propose to Your Lordships.

That His Majesty may be graciously pleased to Incorporate the Petitioners according to the Prayers of their Petition as a Charitable Society by the Name of The Corporation for establishing Charitable Colonies in America, with perpetual Succession.

That they may be empowered to purchase Lands of Inheritance in Great Britain to the Value

Value of £1,000 p Annum & Estates for Lives or Years, and Goods and Chattels to any Value; And to receive and take by Grant, Gift, Purchase or otherwise any Lands in America with Power to make reasonable Bye Laws, not repugnant to the Laws of Great Britain for the Government of their Corporation; And to give an Annual Account of all Monies or Effects by them received or Expended for the carrying on this Charity in the High Court of Chancery.

And as a further Encouragement to this Design, We are of Opinion His Majesty, may be graciously pleased to Grant to the Petitioners & to their Successors for ever all y^t Tract of Land in His Province of South Carolina lying between the Rivers Savannah & Alatamaha to be Bounded by the most Navigable and largest Branches of the Savannah & the most Southerly Branch of the Alatamaha, with the Islands in the Sea, lying opposite to the said Land, reserving to His Majesty, His Heirs and Successors a Quit Rent at the Rate of four shillings Proclamation Money for every Hundred Acres contained in the said Tract, which shall be Leased or Granted out by the Corporation to their
under

under Tenants, or taken up settled or improved by them or their Agents the said Quit Rent not to commence or be paid till ten years after — such Leases, Settlements, takings up or Improvements respectively.

And that His Majesty may always be duly inform'd of what Quantities of Land are Granted, taken up, settled or Improved by the sd Corporation, That a Constant Register shall be kept by their Officers, of all such Leases, Grants, takings up, Settlements & Improvements, And Authentick Transcripts thereof annually transmitted to His Majesty's Auditor of the Plantations, or his Deputy in South Carolina and also to His Majesty's Land Surveyors in that Province, reserving to the said Surveyor in His Majesty's behalf, a Right of Inspecting the Lands so Leased, Granted, Taken up, Improved or Settled to prevent any abuses with respect to the Quit Rents hereby intended to be reserved upon such Lands.

And whereas, it is the Desire of the Petitioners, that the Tract of Land by them petitioned for, which is at present entirely uninhabited, except by some few Indian Families, may be separated from the Province of South Carolina

Carolina, and be made a colony independent thereof with respect to their Laws, Government, and economy, both Civil and Military, save only in the Command of their Militia which is to remain with His Majesty's Governor of South Carolina for the Time being. We are humbly of Opinion that His May^{ty} may be graciously pleased to indulge them in this particular likewise, saving always the Dominion of the Crown & the Dependence which every British Colony ought to have upon His Majesty. And for this purpose we would humbly propose that the Corporation may have the Liberty from time to time, to lay before His Majesty Lists of all such Officers both Civil and Military, as shall be thought necessary by them for the support, Conduct and Government of their intended Colony & which are usually appointed by Commissions from His Majesty, or from His Majesty's Governors in other Colonies in America; & that when His Majesty shall have approved of such Officer by His Order in Council, the Corporation may be empowered to give them Commissions under their common Seal.

And as it will be necessary that there should be power of making Laws for the Government of this Colony, we would propose that His Majesty may

Im-

Impower the Corporation from time to time to prepare Laws for y^t purpose, to be laid before the King in Council, and if not Disapproved by His Majesty in 30 Days, that they may be sent over & be in full - Force until the King shall think fit to signify his Disallowance of them.

And as in process of time it is to be hoped - this Colony may prove a flourishing settlement and thereby become sharers in the Trade of South Carolina, it will be necessary that the Person who - superintends this Settlement, altho he should not act under the Title of Governor, should according to - the Act of the 4th & 8th of King William, not only be approved of by His Majesty, as has been before - proposed, but also take the usual Oath to Observe the Acts of Trade & Navigation; for which purpose it will be necessary that the usual Instructions upon that Head, which are given to the Governors in - America, should likewise be given to him; And that the Corporation do give constant Accounts of all Proceedings to this Office, that we may lay the same before His Majesty. We are,

My Lords,

Your Lordships,

most

Most Obedient and most humble
Servants,

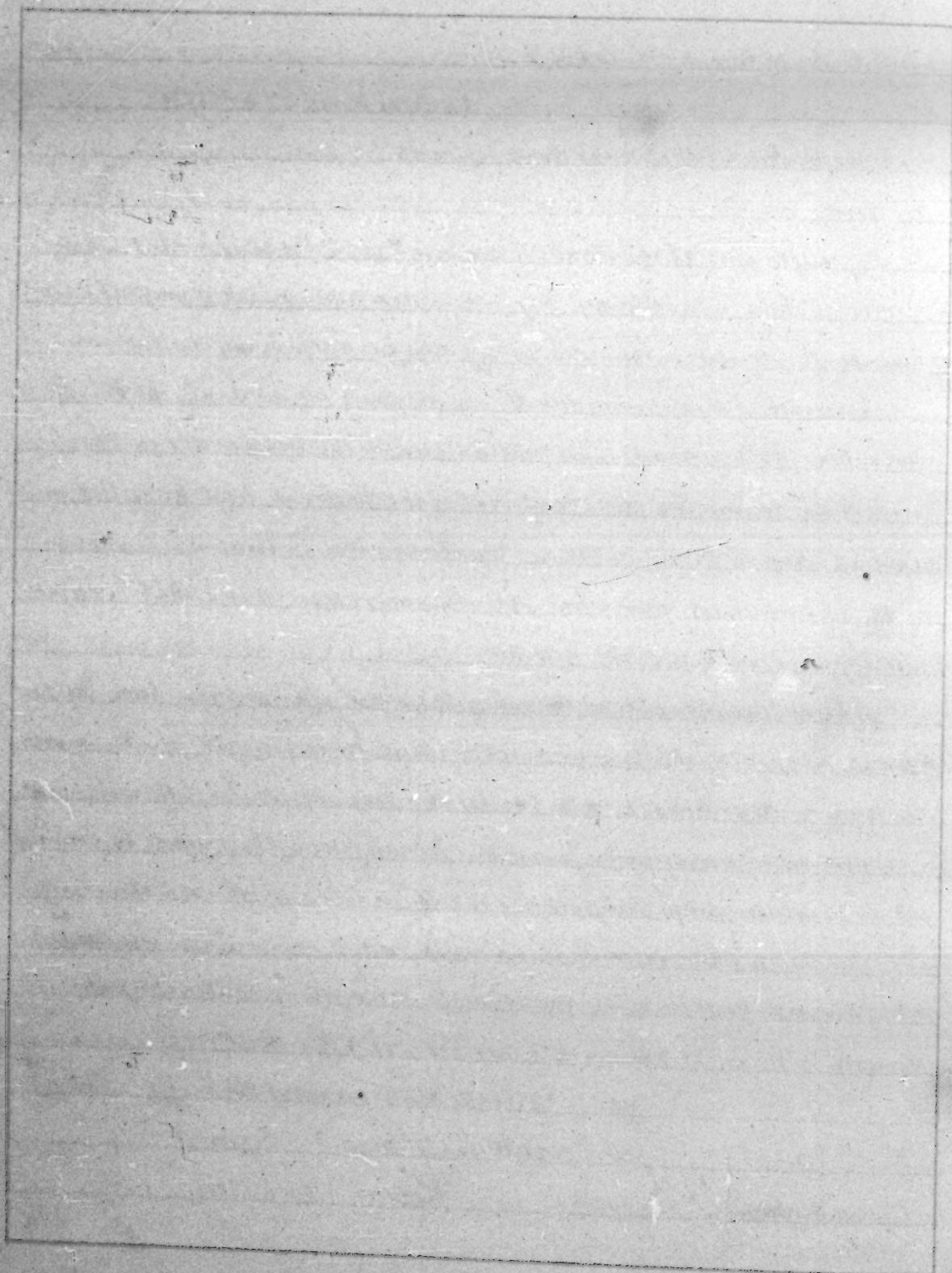
Westmoreland,

R. Docmunique

J. Pelham.

M. Bladen.

A. Croft.



B P R O South Carolina B 2 Vol 5

D^y

Charles Town 27 Dec 1730

To the R^t Hon^{ble} the Lords Comm^{rs} of Trade

My Lords

I do myself the Honor to acquaint your Lordships that upon my arrival here I proclaimed my Commission and qualified myself and likewise the Council by taking the Oaths agreeable to my instructions

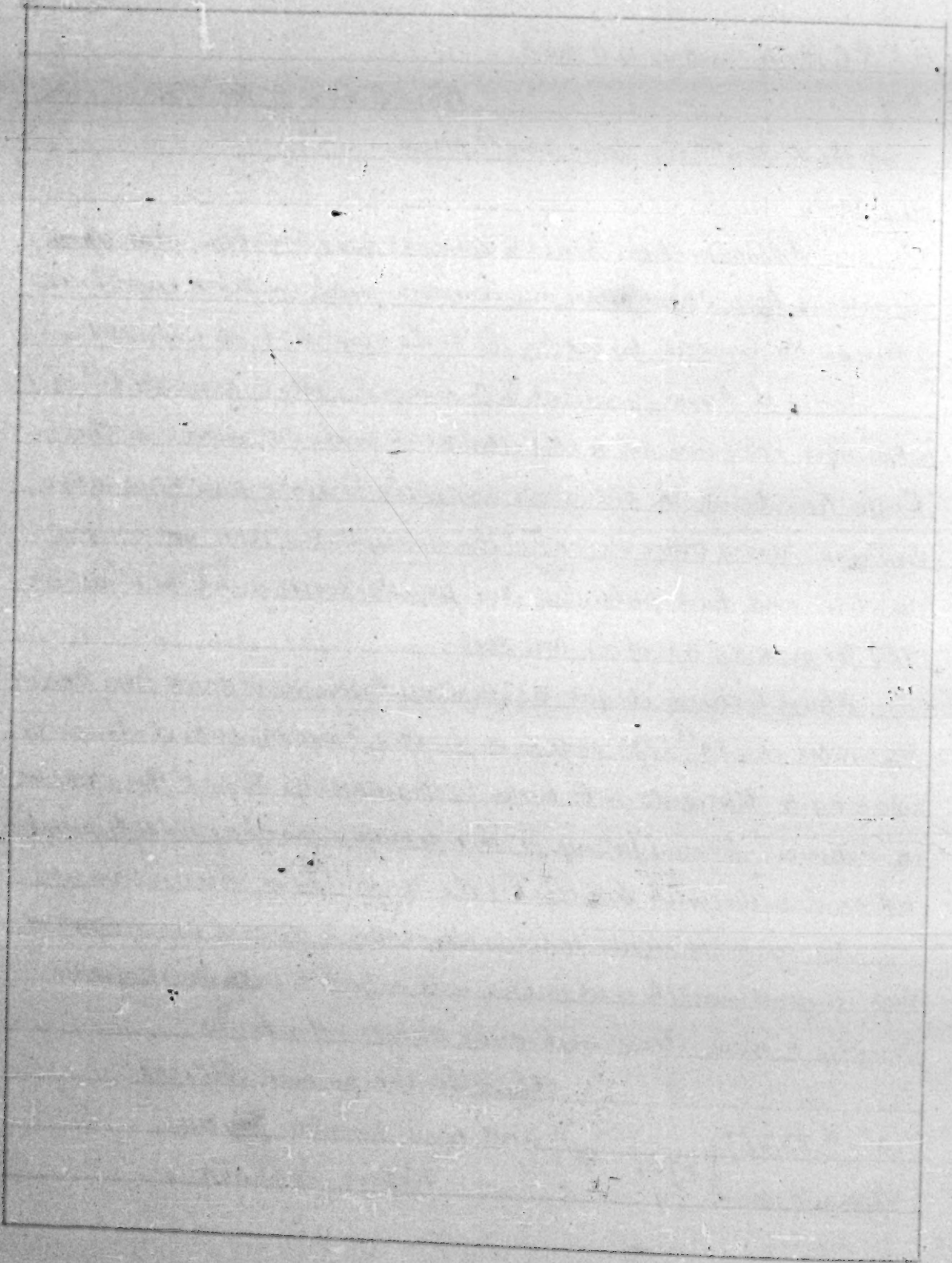
Herewith I send pursuant to His Majesty's orders dated the 6th of November 1729 directed to M^r Middleton or the Commander in Chief for the time being the Old Broad Seal of the Province and have taken Captain James Omer Master of the Lovely Melley Ann his receipt for the same and have published His Majesty's orders dated the 6th October 1729 for making use of the New Seal

I have likewise obeyed His Majesty's Instructions dated from Windsor September the 25th 1730 sent to me by His Grace the Duke of Newcastle relating to Reprisals to be made by His Majesty's Ships of War stationed in America for any piracies or other depredations that shall be committed on his Majesty's Subjects by the Spaniards or others in America

The seven Cheruquee Indians committed to my care are all arrived here in good health and mighty well satisfied with His Majesty's Bounty to them. I am with great respect My Lords

Your Lordships most obedient
and most humble Servant
Robert Johnson

Rec^d 23 Feb^y } 1731
Read Hellar }



B P R O Ar W I Vol 14 p 7

Charles Town 27th December 1710

My Lord

I do my self the Honour to acquaint your Grace that upon my Arrival here, I Proclaim'd my Commission, and Qualify'd my self; and likewise the Council, by taking the Oaths, agreeable to my Instructions.

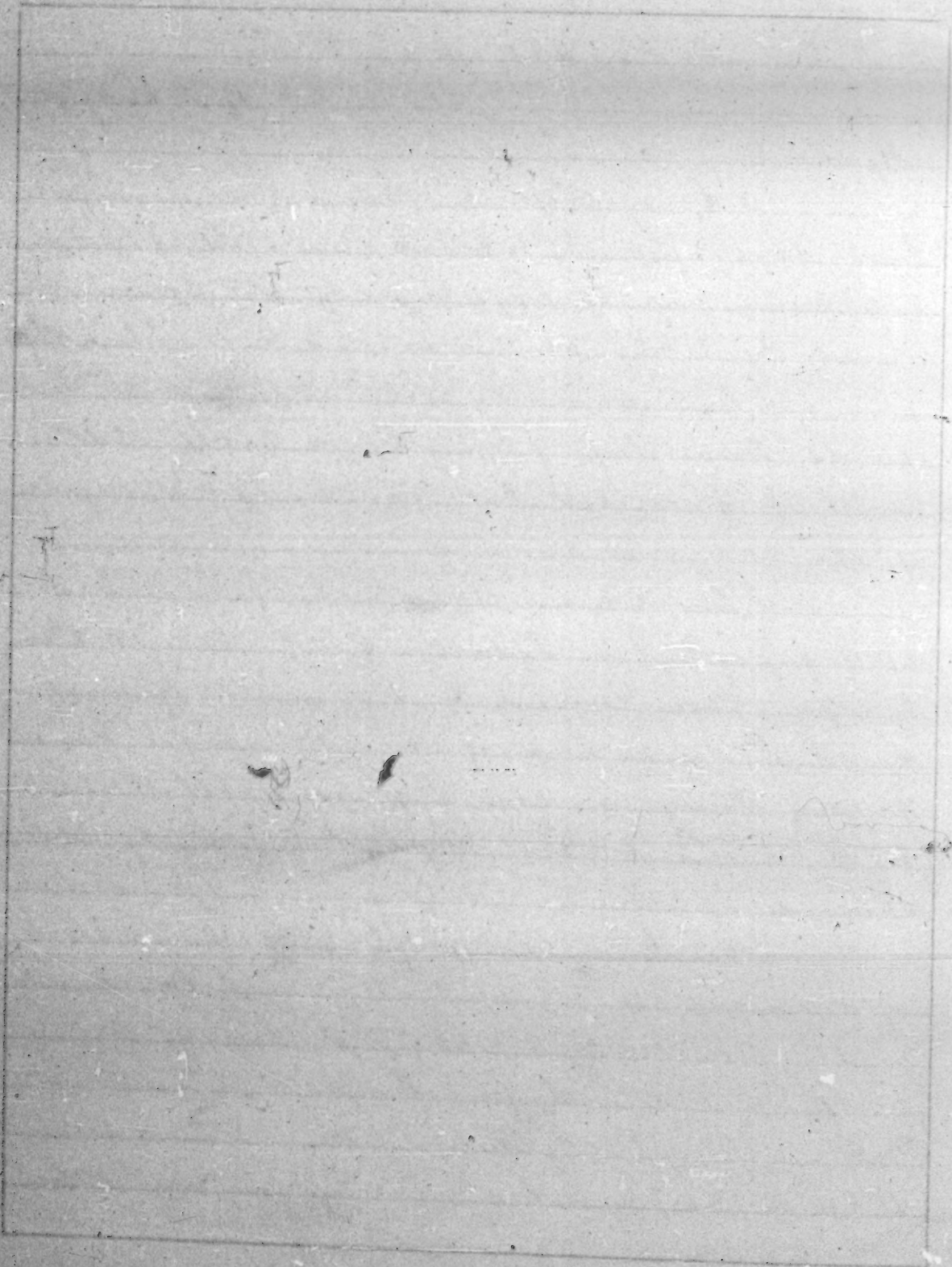
I have pursuant to his Majestys Orders, Sent the old Broad Seal of this Province to the Lords Comm^{rs} of Trade, and Publish'd those for making use of the New One.

I have likewise Obed His Majestys Instructions dated from Windsor, September 9th 25th 1710, sent to me by Your Grace, relating to Reprizals to be made, by His Majestys Ships of War, Stationed in America, for any Piracy, or other Depredations, that shall be committed on His Majestys Subjects by their Spaniards, or other in America.

The Seven Cheriqua Indians committed to my Care, are all arriv'd here in good health, and mightily well satisfied with His Majestys Bounty to them. I am with great Respect

My Lord

His Grace the Duke of Anjou Your Grace's most Humble & most Obed^t Serv^t
Rob^t Johnson



B P R O Ar N.I. 2d 19. p. 6

(25th December 1790)

Worthy Sir

The Inhabitants of Providence as well as their Govern^d Labours under a great deal of uneasiness Occasioned by one M^r Colebrooke who was Associated with M^r Rogers Jun^r he is a man of pleasant Conversation, and Good Sense but extremely perverse in Temper having Affirmed in the Assembly of which he was Chairman (When the Governor and Council, by a Message to them recommended among other things the raising a sum of money for the repairing of the Fort that the Governor when in England had received from the Government five hundred pounds Sterl^o for that Purpose & Strenuously insisted that he should repair the Fort at his own Expence, or give an Account of that money due in the Warrant to receive it was mentioned for past Services. It is well known, that Governor Rogers lost considerably in his former Administration in retrieving the Island from the hands of the Pirates and maintaining it against the Spaniards and has been at great Expence lately in Building Barracks in the

the Fort for the soldiers there not being when he arrived a place for them to Shelter in nor even their Arms from the Rain:

The Governor Dissolved the Assembly the 9th Instant at which time M^r Colebrooke Seized on all their proceedings with all the Papers belonging thereto tho the Gov^r is Required by his Instructions to forward fair Transcripts thereof to his Majesty, which M^r Colebrook could be no ways Ignorant of having heard them read lately & must have a copy of im by him which was sent to the Assembly for their Perusal, & better Government the Gov^r and Council required him by a Letter to deliver them up that the Ct might take copies of im to enable him to comply with his Instructions & afterwards by a verball message by one of the Council & the Ct which he still refusing the Governor was obliged to send his warrant to bring M^r Colebrook before him and Council, who then told them he positively would not deliver the Assembly proceedings for which the Governor committed him, & was admitted to bail, according to his Petition to the Gov^r and Council and is to be heard in a few days at a Special Court Ordered for that purpose. I think these

these proceedings are in some measure commencing a
 Civil War there are many other such heinous
 Proceedings of Mr Colbrookes and Emissary which
 I could relate but fear to be too tedious, as well
 as of one Mr White his great friend, and till
 within few days our Chief Justice, who took the
 liberty while sitting on the bench to say in a
 Great passion that the Governor was Arbitrary
 for having confined a Person for felony who was one
 of the Attorneys of that Court, & was to have
 defended a Cause against a Person who was so
 notorious that he had been condemned to be hanged
 at St Christophers, who's part Mr White took very
 much, and would not allow the Cause to be Tried

Since I am here the Gov^d has wrote me
 word to return to Providence having another view
 of serving me than that of going to England, which
 if it should fail will send me home with one
 Capt Sides now at Providence that sails in about
 three Weeks I Remain with the utmost Respect

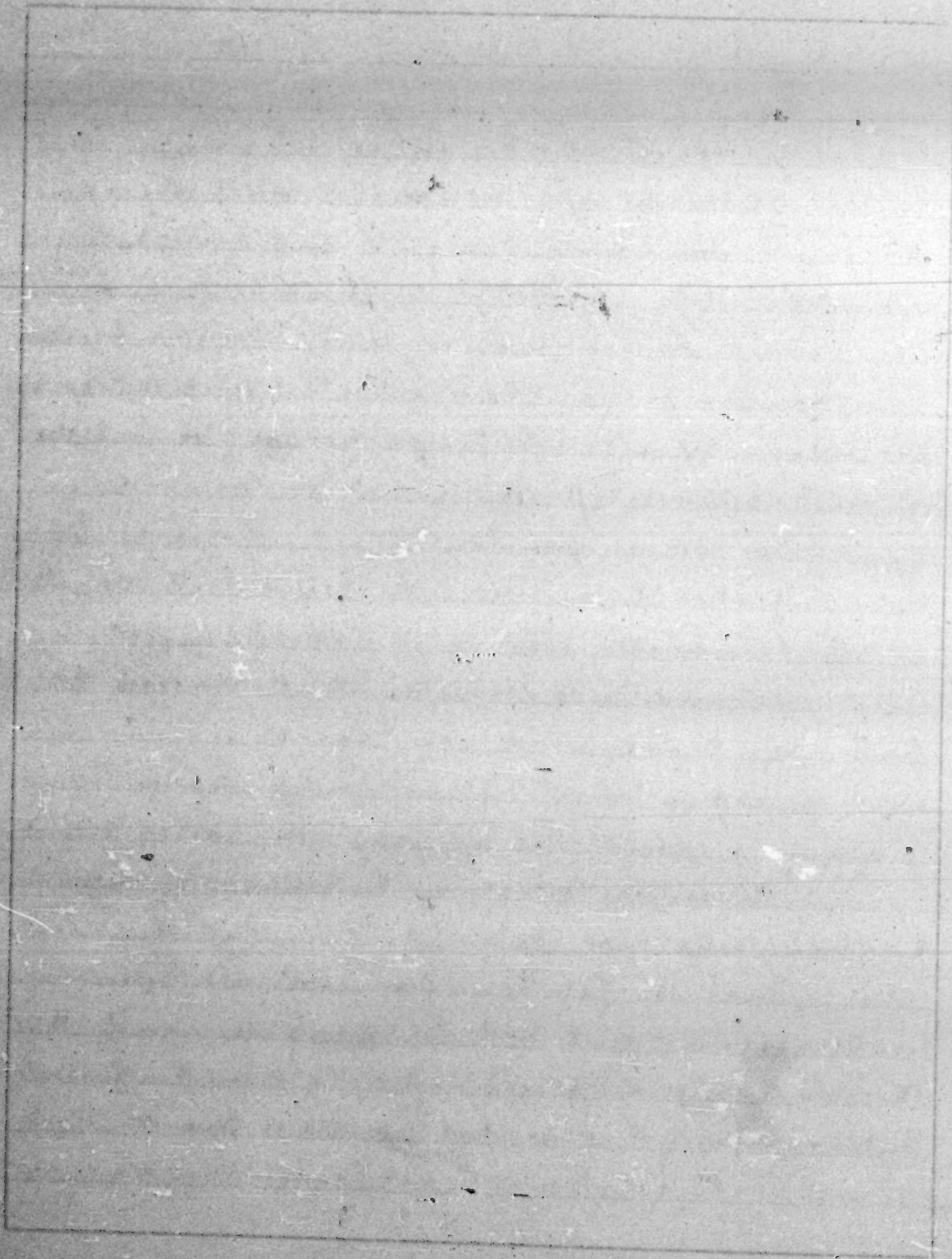
Good Sir

Chas^s Desforges Esq

South Carolina 25th Decr 1730

Y^r most Obed^t & most humble Serv^t

Law^d Donnot



B. P. R. O. A + N. I. Vol. 621.

To the Kings most Excellent Majesty
The Humble Memorial of Robert Johnson
your Majesty's Governor of South Carolina.

Sheweth

That the said Province being a Southern Frontier to the Continent, and having been Subject to the Incursions of the Indians, It hath been Judged Necessary for the better Defence and Security thereof to erect four Forts - Vizt -

One Fort at Port Royall

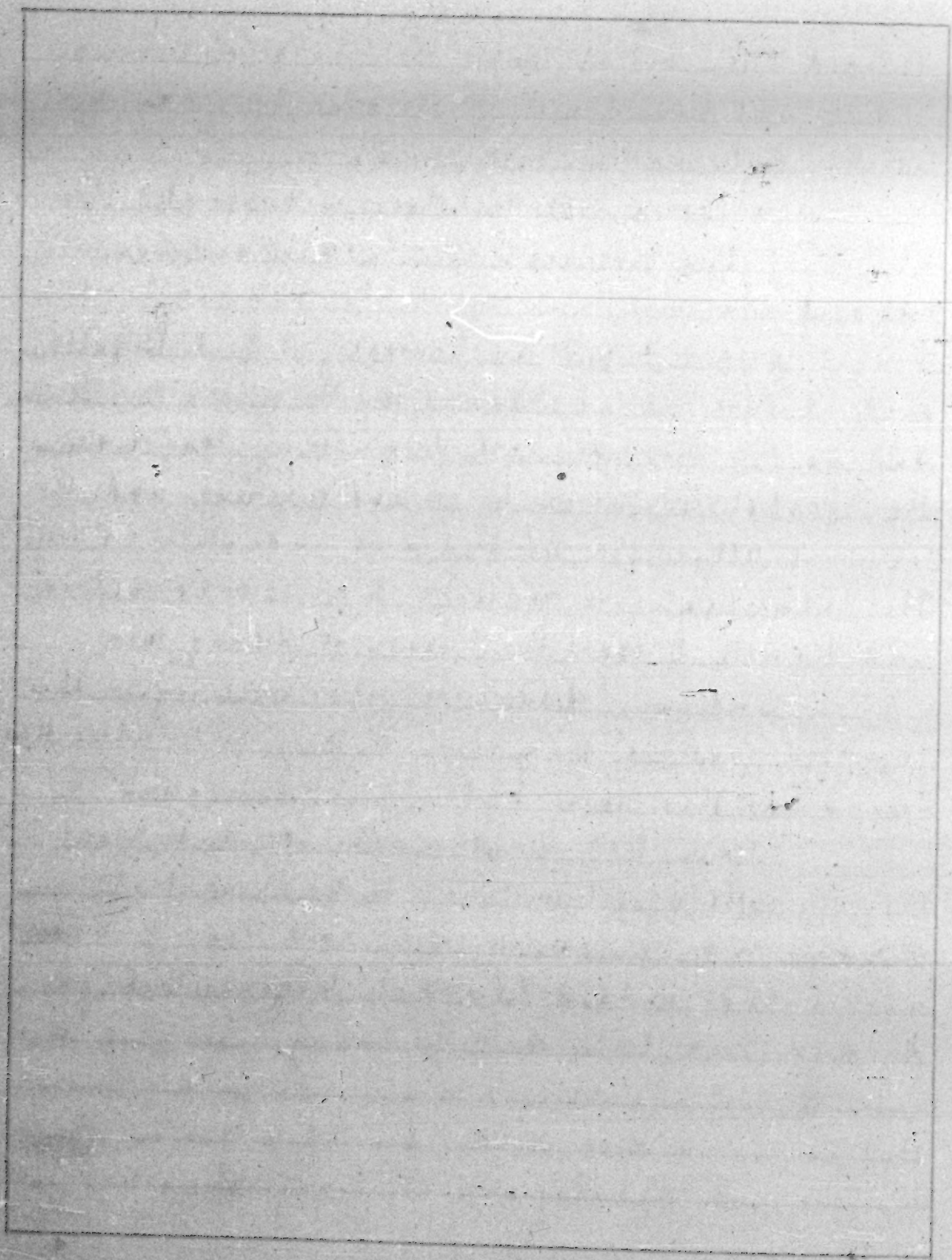
Another to the North East called Fort Moore to awe the Northern Indians.

A Third to the South called Palachuccola Fort to awe the Southern Indians. -

And a Fourth Fort called Johnsons Fort to command the Harbour of Charles Town.

All which Forts are at the Distance of near One Hundred Miles from each other. -

That the Late Lords Proprietors not taking Care for Garrisoning these Forts for many Years past, the Province hath been Obliged to Hire Men for this Service. - But in regard there are but few White Men in the Province, and that they will not Engage themselves in the



the said Duty, but at Trible the Charge of Common Soldiers sent from hence, So the said Forts have been hitherto but weakly Garrisoned. —

That when Gov^r Nicholson was appointed Provisional Gov^r of this Province — One Independant Company was sent over with him which Company it has been thought proper to putt in Garrison at Fort Royall. That as there are no Soldiers for the other Three Forts And as the Province hath been for a long time in the Greatest Confusion by means whereof, and the frequent Attacks of the Indians and other Enemies The Inhabitants are reduced to a low Condition and Unable to bear the Charge of Hiring Men. —

And as Soldiers are more necessary in this Frontier Province than even at New York where there are no less than four Independant Companies. —

Your Pet^r humbly submits it to Your Majesty whether it will not be for Your Mat^r Service and the Security of the said Province to appoint another Independant Company to consist of one Hundred Men to be sent thither. —